

## TABLE OF CONTENTS

|   |   |     |
|---|---|-----|
| ● | Facts about Egremont.....   |     |
| ● | Important Information.....  |     |
| ● | Table of Contents.....  |     |
| ● | Elected and Appointed Officials.....                              | 1   |
| ● | General Bylaws.....   | 7   |
| ● | Assessors.....  | 23  |
| ● | Building Commissioner.....  | 25  |
| ● | Cemetery Commission.....  | 26  |
| ● | Conservation Commission.....                                      | 27  |
| ● | Council on Aging.....   | 28  |
| ● | Cultural Council.....   | 30  |
| ● | Emergency Management.....   | 31  |
| ● | Finance Committee.....  | 32  |
| ● | Fire Department.....  | 35  |
| ● | Green Committee.....  | 37  |
| ● | Board of Health.....  | 38  |
| ● | Highway Department.....   | 40  |
| ● | Historical Commission.....  | 41  |
| ● | Library.....  | 42  |
| ● | Planning Board.....   | 43  |
| ● | Plumbing Inspector.....   | 44  |
| ● | Police Department.....  | 45  |
| ● | Select Board.....   | 47  |
| ● | Sustainability Coordinator.....                                   | 49  |
| ● | Technology Committee.....   | 50  |
| ● | Tax Collector.....  | 53  |
| ● | Town Accountant.....  | 54  |
| ● | Town Clerk.....   | 82  |
| ● | Town Treasurer.....   | 83  |
| ● | Southern Berkshire District Department of Veterans' Services..... | 84  |
| ● | Water Department.....   | 85  |
| ● | Berkshire Community Action.....                                   | 86  |
| ● | Community Health Programs.....                                    | 87  |
| ● | Construct, Inc.....   | 88  |
| ● | Elizabeth Freeman Center.....                                     | 89  |
| ● | Fairview Hospital.....  | 93  |
| ● | Garden Club.....  | 94  |
| ● | Housatonic Valley Association.....                                | 95  |
| ● | Literacy Network of South Berkshire .....                         | 98  |
| ● | Railroad Street Youth Project.....                                | 99  |
| ● | Berkshire South Regional Community Center.....                    | 100 |

**FACTS ABOUT EGREMONT**

INCORPORATED.....1775

LOCATION.....Southwestern corner of Mass.

POPULATION.....1081

LEGAL VOTERS.....1012

FORM OF GOVERNMENT.....Town Meeting

TAX RATE FY 2018.....\$9.62

PUBLIC SCHOOL.....Southern Berkshire Regional

LIBRARY.....Egremont Free Library

POLICE **911** or.....528-2160  
Tyler Race, Chief

FIRE PROTECTION **911** or.....528-1625  
Joseph Schneider, Chief  
James Olmsted, Assistant  
William Turner, Assistant

AMBULANCE SERVICE **911** or.....528-3900  
Southern Berkshire Volunteer

STATE POLICE.....1(413)243-0600

EMERGENCIES.....**911**

TOWN OFFICES.....528-0182  
171 Egremont Plain Road  
Monday-Friday 7:00am - 3:00pm

TOWN ROADS.....42.19 miles

TOTAL AREA.....18.91 miles

TOTAL ACREAGE.....12,039.79

APPROXIMATE ELEVATION.....800 feet - town center

ANNUAL TOWN MEETING DATE.....First Tuesday of May  
May 7, 2019

ANNUAL TOWN ELECTION DATE.....Second Tuesday of May  
May 14, 2019

## **IMPORTANT INFORMATION**

### **Governor**

Charles Baker

### **Lt. Governor**

Karyn Polito

### **United States Senators**

Elizabeth Warren

Edward Markey

### **United States Representative**

Richard Neal

First Congressional District

### **State Senator**

Adam Hinds

Berkshire Senatorial District

### **State Representative**

William "Smitty" Pignatelli, Lee  
4<sup>th</sup> Berkshire Representative District

**ELECTED AND APPOINTED OFFICIALS**

**ELECTED:**

**ASSESSORS:**

Susan Turner 2019  
Robin Goldberg 2020  
Francine Groener 2021

**AUDITOR:**

**CEMETERY COMMISSIONERS:**

David Campbell 2020  
Herman Trudeau Jr. 2019  
John Wells 2021

**CONSTABLE:**

James Olmsted 2020

**LIBRARY TRUSTEES:**

Francine Groener 2019  
Margaret Muskrat 2021  
Keila Sheldon 2020

**MODERATOR:**

Stephen Cohen 2019

**PLANNING BOARD:**

Lucinda Vermuelen 2019  
Helen Krancer 2021  
Jared Kelly 2023  
Gregory Cherin 2020  
Ed Regendahl 2022  
Associate member: Marj Wexler 2020

**SCHOOL COMMITTEE:**

Marcella Bush  
Ken Knox

**SELECTBOARD:**

George McGurn 2020  
Bruce Turner 2019  
Mary Brazie 2021

**TOWN CLERK:**

Juliette Haas 2020

**TREE WARDEN:**

James Olmsted 2020



**APPOINTED:**

**A.D.A. COORDINATING COMMITTEE**

Bruce Turner  
Tom Reynolds Bill Tighe

**ACCOUNTING OFFICER:**

Paul Lisi  
Mary Brazie, Assistant

**AFFORDABLE HOUSING COMMITTEE:**

Don Pulfer  
Richard Stanley  
Richard Allen  
Bonnie Oloff  
Joan Goodkind  
Bruce Bernstein

**AGRICULTURAL COMMISSION:**

Sara Love 2019  
Carla Turner 2018  
Peter Maggio 2017  
Jennifer Brown 2018  
Elizabeth Keene 2019

**ANIMAL CONTROL OFFICER:**

John Springstube 2019  
DEPUTIES: Bonnie Bassis  
James Olmsted

**APPEALS, BOARD OF:**

James Lamme 2019  
Elliott Snyder, Chair 2021  
Susan Bachelder 2020  
Alternates: Chuck Ogden, Cathy Fracasse 2019

**ASSESSORS CLERK:**

Will Brinker

**BERKSHIRE COUNTY REG'L PLANNING COMMISSION:**

Jared Kelly, Representative 2019  
Gregory Cherin, Alternate

**BERKSHIRE REGIONAL TRANSIT AUTHORITY:**

Bruce Bernstein 2018  
Bruce Turner, Chairman Board of Selectmen 2018

**BUILDINGS & GROUNDS SUPERINTENDENT:**

Thomas Reynolds

**BUILDING & GROUNDS LABORER:**

Scott Fountain

**BUILDING INSPECTOR:**

Ned Baldwin 2019  
Alternate: Bengt Granskog

**BURIAL AGENT:**

Juiette Haas 2018

**COMPLETE STREETS COMMITTEE**

James Noe  
Lucinda Vermeulen  
Susan Bachedler  
Mary Brazie  
Jared Kelly

COMPACTOR OPERATOR:  
 William T. Wood 2019  
 Alternates: Highway Department & Scott Fountain & Tony  
 Valentino

CONSERVATION COMMISSION:  
 Alina Hsu 2021  
 Bill Tynan, 2019  
 David Seligman 2020  
 Ron Ronan 2020  
 Logan Malik, Associate on leave 2019

COUNCIL ON AGING:  
 Rachel Shaw, Associate 2019  
 Bruce Bernstein  
 Georgette Kinney  
 Helen Krancer  
 Chet Delaney  
 Eve Goldberg  
 Carolyn Palmucci  
 Margaret Muskrat, Administrator Assistant

DRAFT HYDRANT COMMITTEE: 2019  
 Tom Sierau

E-911 COORDINATORS:  
 Mary Brazie 2019

EGREMONT-ALFORD CULTURAL COUNCIL:  
 Robin Goldberg 2022  
 Margaret Muskrat 2021  
 Joan Rogers-Kelly-Alford 2020  
 Sue Arkan-Alford 2020  
 Mary Ann Hayes-Alford 2021  
 LouAnn Harvey 2018  
 Hilary Penglase 2018  
 Susan Bachelder 2020  
 Karen Climo 2021

EMERGENCY MANAGEMENT COORDINATOR:  
 Edward McCormick 2018  
 Assistant William Brinker

FENCE VIEWERS:  
 Kevin Wheeler 2018

FIELD DRIVER:  
 David Sheldon 2018

FINANCE COMMITTEE:  
 Laura Allen 2019  
 Stephen Rawlings 2020  
 Amy Pulver 2020  
 Frank Penglase 2021  
 Michael Bandzierz 2019  
 Thomas Berkel 2021

FIRE CHIEF:  
 Joseph Schneider 2018  
 Bill Turner, Assistant #1  
 Jim Olmsted, Assistant #2  
 James Golden, Captain  
 Dave Guidi, Captain  
 Roger Meyer, Lieutenant

Paul Sierau, Lieutenant  
 Dave Katzenstein, EMS/Tech Rescue Captain

FOREST WARDEN:  
 Joseph Schneider 2019

FRENCH PARK COMMITTEE: 2019  
 George McGurn, Trustee  
 Bruce Turner, Trustee  
 Mary Brazie, Trustee  
 Jennifer Brown  
 Hilary Penglase  
 Zoe Hersh  
 Melody Lamb  
 Elizabeth Spaulding

GAS INSPECTOR:  
 Robert Gennari  
 Robert Kruski, alternate

GREEN COMMITTEE: 2019  
 Juliette Haas  
 Robin Goldberg  
 Marj Wexler  
 Richard Allen  
 Pat Konecky  
 Corinna Barnard

HAZARDOUS WASTE COORDINATOR:  
 Edward McCormick 2019

HEALTH, BOARD OF:  
 Ellen Maggio 2020  
 Charles Ogden 2021  
 William Rose 2019  
 Alternate & Director: Juliette Haas 2019

HIGHWAY PERSONNEL: 2019  
 Donald Peck, Foreman  
 Richard LaRose  
 Carmello Guarda

HISTORICAL COMMISSION:  
 Steve Piersanti 2019  
 William Wood 2021  
 Susan Bachelder 2021  
 Elliott Snyder 2019  
 Barbara Kalish 2020  
 Rebecca Turner 2019  
 2020

INSPECTOR OF ANIMALS:  
 John Springstube - Domestic & Livestock 2019

LIBRARIAN:  
 Lesliann Furcht  
 Substitute: Marie Erwin, Abigail Rogers-Mckee

MASSACHUSETTS BROADBAND INSTITUTE:  
 Jeff Lazarus, Liason

MUNICIPAL COORDINATORS:  
 Edward McCormick 2019

OPEN SPACE & RECREATION BYLAW COMMITTEE  
 George McGurn, Selectmen's rep  
 Helen Krancer

Karen Berger  
 Tom Gilbert  
PLUMBING INSPECTOR:  
 Robert Krupski 2019  
 Alternate: Bob Gennari

POLICE DEPARTMENT:  
 Police Chief: Erik Josephson  
 Full-time Patrol Officer: Hans Carlson 2019  
 Maximillan Kolb  
 Shawn Boyne  
 Part-time Patrol Officers: 2019  
 Joseph Pravia  
 Matthew Sutton  
 Jennifer Brown  
 William Minacci  
 Tyler Race  
 Brandon Yap  
 Stephen Parkington  
 Police Details Only: Brian Shaw  
 Police Administrative Assistant: Margaret Avenia

POLL WORKERS:  
 Juliette Haas, Town Clerk 2018  
 Marlene Soudant, Warden  
 Susan Turner, Warden  
 James Olmsted, Constable  
 Rosemary Besancon, Barbara Shultis, Lisa Ecklund, Susan Turner,  
 Marj Wexler, Gerard Lanoue, Peg Muskrat

POUND KEEPER:  
 John Springstube 2019  
 Bonnie Bassis

REGISTRARS, BOARD OF:  
 Juliette Haas, Chair 2018  
 Jeannie Peck  
 Marlene Soudant  
 Lizzie Spaulding  
 Carissa Mann

ROAD SUPERINTENDENT:  
 James Noe

SCHOOL CROSSING GUARD:  
 Egremont Police Chief

SELECTMEN'S OFFICE ADMINISTRATOR:  
 Mary Ann Brazie

SURVEYORS OF LUMBER:  
 Peter Barrett 2019

TECHNOLOGY COMMITTEE: 2019  
 Laura Allen  
 John Wells  
 Jeffrey Lazarus  
 Marj Wexler  
 Mark Roggen  
 Rolfe Tessem  
 Joan Goodkind

TOWN COUNSEL:  
 Firm of Hannon, Lerner, Cowhig, Scully & Bell 2019  
 Lead Attorney: Jeremia Pollard

TOWN HALL OFFICE CLERK:  
 William Brinker

TOWN HISTORIAN:  
 William H. Wood 2019

TREASURER/TAX COLLECTOR:  
 Susan Funk

VETERANS' AGENT:  
 Laurie Hils 2019

VETERAN'S SERVICES:  
 Thomas Gage

WATER COMMISSION:  
 Steve Agar 2019  
 Ray Palmucci 2020  
 Gerard Lanoue 2021

WATER DEPARTMENT ADMINISTRATOR/CLERK:  
 William Brinker

WATER DEPARTMENT OPERATOR:  
 James Olmsted (retiring)  
 Nathan Stalker

WIRE INSPECTOR:  
 Ted Piontek 2019  
 Alternate: Robert Clausen

TOWN OF EGREMONT GENERAL BYLAWS

May 3, 2017

BYLAW 1

Section 1: Attested copies of all Town Meeting Warrants shall be posted by the Town Constable or other person so designated by the Board of Selectmen, in four (4) public places or more, within the Town, for at least fourteen (14) days before the holding of said meeting, or to take any other action relative thereto.

Section 2: The Selectmen shall place in the local newspaper a synopsis of the warrant for any special town meeting at least fourteen (14) days before the date of said meeting and copies of the warrant shall be available to the public at the place of said meeting.

Section 3: Articles in the Warrant shall be acted upon in the order in which they stand, unless the meeting shall direct otherwise by majority vote. No article shall be prejudiced by such action.

Section 4: The presence of sixty (60) voters at a Town Meeting for the transaction of business shall constitute a quorum, except for a motion to adjourn, for which no quorum shall be required. The number of persons constituting a quorum may only be altered at an Annual Town Meeting.

Section 5: All motions at a Town Meeting shall be reduced to writing if so requested by the Moderator or any legal voter.

Section 6: Any vote to raise and appropriate money by issuing bonds or notes of the Town except as provided in Section 17 of Chapter 44 of the General Laws and amendments thereto and any vote concerning a raise in the limit of indebtedness of the Town hereafter taken shall be acted upon at any annual town meeting or special town meeting in the warrant for which such article or articles appear by written secret ballot.

Section 7: All boards and committees shall, within one week after election or appointment, elect a chairperson and secretary, and give notice of such election to the Town Clerk.

Section 8: The Selectmen shall annually, by December 1 after the close of the preceding fiscal year, cause to be distributed among the taxpayers of the Town, a detailed report in print of all money received into and paid out of the Town Treasury during that preceding fiscal year, which report shall be examined and approved by the Auditor before it is printed. The Selectmen shall also publish in said report such information and recommendations as they may deem proper.

Section 9: Per a vote of Town Meeting on May 31, 1973 it was designated that the first Tuesday of May is the date of the Annual Town Meeting and the second Tuesday in May is the date of the Town Election.

BYLAW 2

The Selectmen have the full authority as agents of the town to institute and prosecute suits in the name of the town, and to appear and defend suits brought against it, unless it is otherwise specially ordered by a vote of the town. They may, with the advice of counsel, settle any compromise suits or claims where the settlement shall not call for payment of more than three hundred (\$300.00) dollars.

### BYLAW 3

Section 1: All articles in any warrant shall be referred to and considered by the Finance Committee for its recommendations. Said committee shall be constituted as follows: six voters to be appointed by the moderator within seven (7) days after the annual town elections, none of whom shall hold any other town office, two to serve for a term of one year, two to serve for a term of two years, and two to serve for a term of three years, or until their successors are chosen. Successors shall be chosen by a majority vote of a committee within twenty-one (21) days after the Annual Town Elections. Said committee shall consist of two Selectmen chosen by the Selectmen, two of the remaining members of the Finance Committee, chosen by the Finance Committee, and the Moderator. Said committee shall not contain the same two Selectmen or the same two Finance Committee members in successive years. Chairperson of said committee shall rotate between a Selectman, a Finance Committee member, and the Moderator in successive years. Vacancies shall be filled as soon as possible in the same manner as are successors. Any member appointed to the committee in accordance with the foregoing sentence shall serve for the unexpired portion of the term of the member whom he is replacing.

Section 2: It shall be the duty of the Finance Committee to investigate the cost of maintenance of the different departments of the Town, and they shall recommend in detail the amounts to be appropriated for each department for the ensuing year.

Section 3: The committee shall have authority to summon before it for such information and investigation as it shall deem necessary, any of the Town officials and reports, for such examination considered by it necessary to the proper discharge of its duties.

### BYLAW 4

Except as provided in Massachusetts General Laws, Chapter 101, Section 17 and Section 22, no person shall act as a door-to-door hawker, peddler, or transient vendor within the Town of Egremont without having obtained a license for such purposes from the Select Board.

The penalty for violation of this bylaw shall be a fine of \$20.00 for each violation. Each day such violation continues shall constitute a separate violation. The enforcing agent shall be the Police Department.

### BYLAW 5

Section 1: The Selectmen shall annually within thirty (30) days following the annual election appoint a minimum of five (5) and not more than seven (7) registered voters of the town to serve as a municipal Council of Aging in accordance with the provisions of Section 8B of Chapter 40 of the General Laws.

Section 2: The Council shall organize by choosing from its membership a chairman and clerk of said Council.

Section 3: The Council shall submit an annual report to the town meeting and furnish copies to the State Commission on Aging.

Section 4: The Council may appoint such clerks and other employees as it may require.

Section 5: The Council shall coordinate and carry out programs designed to meet the problems of the aging in cooperation with programs of the State Commission on Aging as established by Section 73 of Chapter 5 of the General Laws.

## BYLAW 6

Section 1: No boat propelled by an engine of more than ten (10) horsepower shall be operated on Prospect Lake in said Town.

Section 2: A Harbor Master, to enforce state and local regulations, including the provisions of this Bylaw, is to be appointed annually by the Selectmen as of July 1 each year.

Section 3: Any vessel propelled by internal combustion engine shall not exceed a speed of 10 m.p.h. on the waters of Prospect Lake.

Section 4: No vessel propelled by internal combustion engine shall be operated on Prospect Lake at any time before sunrise nor after sunset, except for emergencies or with written permission of the Harbor Master.

Section 5: Disposal of waste of any type is strictly prohibited by Bylaw and in State law within or upon the waters and waterways of the Town.

Section 6: The fine for each offense shall be \$50.00 payable to the Town of Egremont. Other offenses under M.G.L. Chapter 90B shall be fined, subject to the decision of the Harbor Master, who will enforce the provisions of such Chapter 90B for the Town.

## BYLAW 7

The Board of Selectmen shall require all applicants for appointments as full-time Town employees to be appointed on the basis of their qualifications and shall compile a job description for each such appointment.

## BYLAW 8

A. Any person owning and keeping an unlicensed dog within the Town shall, under the provisions of Section 141 of Chapter 140 of the General Laws and amendments thereto, be subject to a fine of twenty-five dollars (\$25.00), which fine shall be in addition to the applicable licensing fee as prescribed by law.

B. Any person owning or keeping a dog within the Town in violation of a muzzling and/or restraining order issued by the Board of Selectmen of the Town and in effect at the time under the provisions of Section 167 of Chapter 140 of the General Laws shall be subject to a fine of fifteen dollars (\$15.00) for the first offense and twenty-five dollars (\$25.00) for the second offense.

C. Whenever a complaint is sought in District Court for a second or subsequent violation under the provision of Section 173 of Chapter 140 of the General Laws, the fines set forth in Section 173A of said Chapter 140 shall apply.

## BYLAW 9

Section 1: Definitions--As used in this by-law, the following terms shall have the meanings indicated:

1.1 **Alarm Systems**--Any alarm device, whether police, fire or medical, which automatically emits an audible, visual, or other response upon the occurrence of any hazard or emergency and is intended to alert persons outside the building to the existence of said hazard or emergency, including alarm signals transmitted to privately operated alarm monitoring companies.

1.2 **False Emergency Alarm**--Any signal actuated by an emergency alarm to which the Police or Fire Department responds which is not the result of fire, holdup, robbery, or other crime emergency.

1.3 **Police Emergency Number**--Any telephone number designated by the Chief of Police as a telephone number through which members of the public or alarm monitoring company may report an emergency or request public assistance.

Section 2: **Dialing Devices**--No person shall use, operate or install any alarm system without a permit issued by the Board of Selectmen. Any system installed on or after the effective date of this by-law must comply with this by-law. Pre-existing installations must comply within six (6) months of the effective date of this bylaw.

Section 3: **Delay**--Upon the activation of a burglary (break-in) alarm there shall be a mandatory delay of at least fifteen seconds before the transmission of a signal/call to enable the user to abort the signal in the event that it was triggered inadvertently. This delay shall not be applicable to a robbery (hold-up), fire or medical emergency alarm.

Section 4: **Timing Device**--The user of every alarm system shall, at the time such system is installed, or within six (6) months of the effective date of this bylaw in the case of existing systems, install or cause to be installed an automatic timing device which shall deactivate such alarm so that it will be activated for no more than fifteen (15) minutes.

#### Section 5: **Filing requirements**

5.1 The user of every alarm system maintained in the town, except those installed in motor vehicles, shall within ten (10) days of installation thereof or within sixty (60) days of the enactment of this bylaw, file the following information with the Selectmen's Office of the Town of Egremont:

5.1a Name, address, and phone number of the property owner.

5.1b Type of alarm system.

5.1c Street address and the nearest cross street of the building which houses the alarm.

5.1d In the case of commercial premises, the name, address, and telephone number of an authorized representative and/or an alternate who will be able to respond when called by Police to deactivate the alarm system, if necessary.

5.1e In the case of a private residence, the name, address, and telephone number of a person who is not a resident of the private residence in question and who will be able to deactivate the alarm system.

#### Section 6: **Permit; Fee; Revocation.**

6.1 The Board of Selectmen is hereby authorized to grant a revocable permit to any owner, lessee or occupant of property located in the town to operate, maintain, install or modify a police or fire alarm device, and no such device shall be operated unless such permit shall have first been issued.

6.2 The Board of Selectmen shall charge an annual fee of twenty-five dollars (\$25.00) for the issuance of such permit.

6.3 A permit issued pursuant to this bylaw may be revoked at any time or from time to time by the Board of Selectmen upon giving of ten (10) days' notice in writing, by registered or certified mail, to the permittee, sent to the address shown on the permit. The violation of this bylaw shall constitute grounds for the revocation of the permit.

Section 7: **False Alarms**--After the issuance of a permit, a fee will be charged for responses to the building/residence for any false alarm, including an alarm malfunction or an accidental alarm, based on a responding officer's determination. When responding to such an alarm, a fee of fifty dollars (\$50.00) will be charged for the second response, one hundred (\$100.00) for each subsequent response. After the third response within a twelve-month period, the permit may be revoked by the

Board of Selectmen, and the alarm system disconnected, until the alarm system has been re-certified by a reputable installer of alarms. All such alarm fees will be payable to the Town of Egremont.

**Section 8: Disconnection**--In the event that an alarm system emitting an audible, visual, or other similar response shall fail to be deactivated within the time limitation specified in Section 4 above, the Town shall have the right to take such action as may be necessary in order to disconnect any such alarm.

**Section 9: Penalties for Offenses**--Any person operating an alarm system without a permit from the Board of Selectmen violates the provision of this bylaw and shall be subject to a fine of fifty dollars (\$50.00) for each offense. Each subsequent month shall constitute a new violation and an additional fine of fifty dollars (\$50.00) shall be assessed to anyone who has not paid the permit fee. If, after six months since the first billing date, the fees and fines remain unpaid, the Town will revoke the alarm permit and take action to have the alarm system disconnected and a new installation application must be made by a certified alarm installer and fees and fines paid before reconnecting the alarm.

#### BYLAW 10

The town, in order to recycle as much as possible of solid waste generated within the Town, authorizes the Selectmen to enact rules and regulations to require everyone disposing of solid waste at a Town facility to separate recyclable material from their solid waste and to dispose of such recyclable material in designated areas so that it may be recycled.

For the purpose of this bylaw, the term "recyclable" shall mean: glass, paper, and metal, as well as other material the Selectmen may determine can be recycled. The Selectmen may set a fine not to exceed \$100.00 for each violation of this bylaw.

All bylaws, rules, and regulations or other documents inconsistent with the provisions of this bylaw are hereby repealed to the extent of the inconsistency.

This bylaw and the various parts, sentences, or clauses thereof are hereby declared to be severable. If any part, sentence, or clause is adjudged invalid, it is hereby provided that the remainder of this bylaw shall not be affected thereby.

The Selectmen shall have the authority to add, alter or delete items to be separated as markets for recycled goods change.

#### BYLAW 11

Tag sales and sales of similar nature within the Town of Egremont will be allowed at any location, by permit from the Board of Selectmen. The fee will be set by the Board of Selectmen.

Up to three tag sales at the same location and/or by the same person will be permitted in one calendar year with the fees increased for each successive sale. Permits must be applied for 14 days prior to the sale and shall not be advertised prior to obtaining a permit. Violators of this bylaw shall be subject to a fine of \$50.00.

All posted signs, notices, posters, etc., advertising a tag sale and sales of similar nature must be removed within 24 hours of the closing of said sale. Violators of this Bylaw shall be subject to a fine of \$10.00 per day.

## BYLAW 12

The Board of Selectmen is authorized to initiate proceedings for the non-criminal disposition of violations of Town By-laws or any rules or regulations of any municipal officials, boards or departments, the violation of which is subject to a special penalty. The procedures set forth in MGL Chapter 40, Section 21D are hereby adopted for said non-criminal disposition of violation.

## BYLAW 13

A swimming pool, whether above or below ground, whether public or private, is subject to the following requirements:

A. A pool permit obtained through the Building Inspector shall require that all pools be surrounded by at least a 4-foot-high fence, rigidly held in place, constructed of or faced with (i.e. on the outside) a wire mesh fence having openings no greater than 3" in diameter, with a safety latch on the gate to help prevent accidental drowning. All other types of fencing designed to prevent young children from climbing over or crawling under and/or through may be allowed at the discretion of an with the permission of the Building Inspector.

B. All above ground pools must have detachable ladders and/or platforms, that are removed when pool is not in use. There shall not be any permanent attached access to the pool.

C. All public and semi-public pools shall be regulated by the Mass. State Building Code Article 6, Section 625.0

D. Pre-existing pools must comply within twelve (12) months of the effective date of this bylaw. (February 24, 1992 effective date.)

E. Violators of this bylaw shall be subject to a fine of \$50.00 a day.

## BYLAW 14

A. Numbers for each dwelling, each apartment, and each business, and other buildings in the Town of Egremont shall be those assigned

in accordance with the street number survey by the Egremont E 9-1-1 Coordinator.

B. It shall be the responsibility of each property owner in the town to obtain and install the number or numbers assigned to the affected structure or structures within ten (10) working days of the assignment.

C. The owner of the property seeking a building permit for a new building or structure shall apply for and receive such a building number designation or numbers from the 9-1-1 Coordinator as a part of the application to the Building Inspector for a building permit and/or as a part of the application to the Road Superintendent for a driveway permit, and no permit shall be issued without designation of such building number. The numbers must be installed on the property before any construction or construction preparation begins.

D. Reflective numbers shall be placed at the main entrance to the structure; that is, on the road on a suitable support so that they are clearly visible from the street. The size of the numbers to be no less than 3 inches high, and placed no higher than six (6) feet above ground level, and no lower than 3 feet above ground level, and for structures begun after July 1, 2002 no lower than 42 (forty-two) inches above ground level.

E. This Bylaw shall be enforced by the Board of Selectmen of the Town of Egremont, either directly

or through an enforcer to be appointed by them. Failure to comply with this Bylaw shall subject the offending property owner to a fine not exceeding ten dollars (\$10.00) per day after proper notification of failure to such owner. All residents shall have 3 months from the date of inception of this bylaw to comply.

#### BYLAW 15

- A. Prior to construction of a tennis court, written application for a tennis court permit shall be made to the Building Inspector, said application to include the name of the property owner and the location of the proposed tennis court indicated on a plot plan.
- B. The Building Inspector shall, within 30 days of receipt of the aforesaid application, determine whether said proposed tennis court conforms to all applicable regulations and, if so, shall issue a tennis court permit within said 30 days.
- C. No construction of the proposed tennis court shall occur unless a tennis court permit shall have been issued.
- D. Upon issuance of a tennis court permit, the Building Inspector shall simultaneously forward a copy of said permit to the Board of Assessors.
- E. The owner of a tennis court pre-existing the date of acceptance of this Bylaw by the Attorney General of Massachusetts must inform the Assessors of the tennis court's existence within 30 days following said date.
- F. Failure to comply with this Bylaw shall subject the offending violator to a fine not exceeding fifty dollars (\$50.00) per day after proper notification of failure to such violator.
- G. This Bylaw shall be enforced by the Town Building Inspector.

#### BYLAW 16

##### A. Definitions;

Tax Collector - The municipal official responsible for records of all municipal taxes, assessments, betterment and other municipal charges.

Licensing Authority - Any department, board, commission or division that issues local licenses or permits of any kind, including renewals and transfers.

Party - Any person, corporation or business enterprise.

B. The Tax Collector shall annually furnish to all municipal Licensing Authorities a list of any parties that have neglected or refused to pay any local taxes, fees, assessments, betterment or other municipal charges for a period of not less than twelve (12) months, provided that such party has not filed in good faith a pending application for an abatement of such tax or a pending petition before the appellate tax board.

C. With the exception of licenses and permits specified in Subsection E of this Bylaw, the Licensing Authority may deny, revoke or suspend any license or permit, including renewals and transfers of any party whose name appears on said list furnished to the Licensing Authority from the Tax Collector, and said list shall be prima facie evidence for denial, revocation or suspension of said license or permit to any party. Before any such denial, revocation or suspension, however, written notice shall be given to the Party

by certified mail, return receipt requested, and to the Tax Collector, both in accordance with applicable provisions of law, and the Party shall be given a hearing, to be held not earlier than fourteen (14) days after receipt of said notice. For the purposes of this section, said notice shall be deemed received on the return receipt. In the event the Party fails or refuses to accept said written notice and/or the return receipt is unsigned or undated, the notice shall be deemed to have been received on the third business day following the date of mailing, as determined by the postmark or other evidence.

The Tax Collector shall have the right to intervene in any hearing conducted with respect to such license denial, revocation or suspension. Any findings made by the licensing authority with respect to such license denial, revocation or suspension shall be made only for the purposes of such proceeding and shall not be relevant to or introduced in any other proceeding at law, except for any appeal from such license denial, revocation or suspension. Any license or permit denied, suspended or revoked under this section shall not be reissued or renewed until the License Authority receives a certificate issued by the Tax Collector certifying that the party is in good standing with respect to any and all local taxes, fees, assessments, betterment or other municipal charges, payable to the Town of Egremont as of the date of issuance of said certificate.

D. Any party shall be given an opportunity to enter into a payment agreement, thereby allowing the Licensing Authority to issue a certificate indicating said limitations to the license or permit and the validity of said license shall be conditioned upon the satisfactory compliance with said agreement.

Failure to comply with said agreement shall be grounds for the suspension or revocation of said license or permit; provided, however, that the holder be given notice and a hearing as required by applicable provisions of law.

E. The Board of Selectmen, upon written request, may waive such denial, suspension or revocation if it finds there is no direct or indirect business interest by the property owner, its officers or stockholders, if any, or members of his immediate family, as defined in section one of Chapter two hundred and sixty-eight A in the business or activity conducted in or on said property.

Notice of the public hearing shall be posted on the principal bulletin board in the Town Hall not less than seven (7) days before the hearing and shall be advertised in a newspaper of general circulation within Egremont once each in two succeeding weeks, with the date of first publication not less than fourteen (14) days before the date of the hearing.

F. This Bylaw shall not apply to the following licenses and permits:

1. Open burning (MGL Ch.48, Sect.13)
2. Bicycle permits (MGL Ch.85,Sect.11A)
3. Sales of articles for charitable purposes (MGL Ch.101, Sect.33)
4. Children work permits (MGL Ch.149,Sect.69)
5. Clubs, associations dispensing food or beverage licenses (MGL Ch.140,Sect.21E)
6. Dog licenses (MGL Ch.140,Sect.137)
7. Fishing, hunting, trapping licenses (MGL Ch.131,Sect.12)
8. Marriage licenses (MGL Ch.207, Sect.28)
9. Theatrical events, public exhibition permits (MGL Ch.140, Sect.181)

BYLAW 17

## ACCESS TO PUBLIC WAYS

### I. Definitions (for the purpose of this Bylaw only)

Abutting property owner: a person or entity owning property bordering on a way.

Driveway: a driveway, private road, logging road, temporary access for construction, logging or testing, and other privately owned vehicular access to and egress from a way; excluding temporary access when no excavation is performed or fill added.

Public Way: a way laid out by a public agency, or dedicated to public use or laid out for public use or used and maintained as a public way.

Way: any public way which is not subject to G.L. Ch. 81, S. 21 (state curb cut permit).

### II. Purposes

A. To provide maximum protection to the public through the orderly control of traffic moving onto and from a way;

B. To provide a uniform practice in the design and construction of entrances and exits;

C. To provide the necessary drainage.

### III. Permits

Any abutting property owner desiring to gain access to a way or desiring to alter, change or close an existing driveway shall do so only in accordance with the provisions of a permit issued by the Board of Selectmen.

#### A. Application

Before beginning construction, the abutting property owner or his duly authorized agent shall make written application, on forms available at the Town Hall, to the Highway Superintendent, including a plan showing:

1. Any driveway that is to be created, altered or closed; and
2. details on drainage.

The application shall contain a description of the proposed construction as far as it encroaches upon or affects the public road or public way and its shoulders, banks, ditches, drainage and other features. The application shall also describe the effect on traffic. A fee of \$50.00 shall be paid to the Town of Egremont when the application is submitted to the Highway Superintendent.

#### B. Processing of applications by the Highway Superintendent

The Highway Superintendent shall examine the application in order to determine if it conforms to sound design requirements, including those listed in Section V below. He shall make a recommendation to the Board of Selectmen within ten (10) days after receipt of the written application, setting forth conditions that he deems reasonable.

#### C. Action by the Board of Selectmen

The Board of Selectmen shall issue or deny a permit within ten (10) days after receiving a recommendation from the Highway Superintendent. The permit may set forth conditions which the Selectmen deem reasonable. The denial shall give reasons; it may contain suggestions for a revised application.

### IV. Design requirements

A. The Highway Superintendent shall consider the requirements of the State DPW Manual on Uniform Traffic Control Devices, but shall modify these to accord with:

1. local conditions;
2. compatibility with local road design; and
3. size of the proposed project.

B. Driveways shall be located to the best advantage with regard to alignments with the way,

profile, sight distance conditions and the like. A leveling area shall be provided at the edge of the way sufficient for safe access on to the way. Unless conditions require it, a driveway should not be located at the extreme edge of a property.

C. No more than two driveways shall normally be allowed for any property unless there is clear necessity for more. Leasing of a portion of the property does not affect this requirement. If a number of establishments will be constructed on one parcel, a service road may be required, to connect with allowable exit and entrance.

D. Driveways shall not normally be approved at intersections, particularly signalized intersections, because of the potential safety hazard which arises when a driver enters a road from a corner driveway and is not faced with a direct signal indication. Access directly into a rotary is also discouraged.

E. Culverts taking the place of roadside ditches shall have a diameter of not less than 15 inches. A larger diameter may be required.

F. The elevation of driveways at the point of entry into the public right of way should be no more than the elevation of the shoulder of the road.

G. Driveways should be so constructed that water from the driveway shall not drain onto the crown of the road.

H. In no instance shall the edge of the driveway entering onto the road conflict with the flow of surface water runoff.

I. Individual driveways should not be less than eight (8) feet nor more than sixteen (16) feet in width within the Town right of way. Any curb at the entrance shall be rounded off with a radius of three (3) feet.

J. Wherever possible, driveways should be pitched downward from the roadway. However, where topography prevents the driveway from being pitched downward in its entirety, the driveway must be constructed on a downgrade from the road surface to the sideline of the Town right of way with a pitch of at least one-quarter inch per foot. From the sideline the driveway may be pitched toward the roadway; however, in no instance shall a driveway have a pitch toward the roadway of greater than one inch (1") per foot, unless adequate provisions have been made and approved by the Highway Superintendent for the diversion of driveway surface runoff away from the roadway. The Highway Superintendent may require methods of diversion for driveways having a pitch of less than one inch (1") per foot if the proposed driveway construction will result in an excess accumulation of surface water in the way.

K. Driveways should be located to the best advantage to alignment with the way, profile, sight distance conditions and the like. In no instance shall the driveway intersect the way at less than a sixty (60) degree angle.

#### V. Exceptions

No permit shall be required for:

A. driveways already in existence, except for significant alterations; and

B. driveways reviewed by municipal boards under other existing regulations or

bylaws.

#### VI. Continuing responsibility of owners

Abutting property owners shall be responsible for keeping culverts under their driveways cleared and for maintaining driveways in condition conforming to the requirements of the permit and to the intent and spirit of this regulation. Driveways already in existence on the effective date of this regulation shall be maintained by the abutting property owners in their best pre-existing condition.

VII. Waiver

Strict compliance with the requirements of this regulation may be waived by the Board of Selectmen when in the judgment of the Board such action is in the public interest and not in opposition to the intent of the regulation.

VII. Violations

The penalty for violation of this Bylaw shall be a fine of \$300.00 for the first violation. Upon notification the owner shall have 60 days to correct said violation; if not corrected a \$100.00 per day fine will be imposed. The enforcing agent shall be the Zoning Enforcement officer.

BYLAW 18

The Office of the Treasurer/Collector, shall pay all fees received by said officer by virtue of said officer's office to the town treasurer for deposit into the General Fund of the Town, as allowed under M.G.L. Chapter 40, Section 21, Clause 13. (effective 8/29/98)

BYLAW 19

All septic systems which rely on "Tight" tanks must have installed an alarm system which is triggered when the tank is 65% full and a 2nd alarm system which automatically shuts off water supply to the house when the waste water level reaches 90% of the tank's capacity.

BYLAW 20

SELECT BOARD TERMS OF OFFICE: In May, 1999, one member shall be elected for a three year term, one for a two year term, and one for a one year term. Thereafter, beginning with the election in May, 2000, and each year thereafter, each expiring term shall be filled by a three year term.

BYLAW 21  
Right-to-Farm

Section 1 Purpose and Intent

The Town of Egremont finds that farming is an essential and valued activity, which provides fresh food, clean air, economic diversity, local employment, and open spaces to all the citizens of our town. This bylaw is intended to encourage the pursuit of agriculture, promote agricultural-based economic and employment opportunities, and protect farmland within the Town of Egremont. The purpose is to allow agricultural uses and related activities to function in harmony with the community, town agencies and others. This bylaw shall apply to all jurisdictional areas within the Town.

This bylaw restates with emphasis the right to farm accorded to all citizens of the Commonwealth of Massachusetts as stated under the Constitution and General Laws and Regulations, including but not limited to Article 97, of the Constitution, Massachusetts General Laws Chapter 40A, Section 3, Paragraph 1: (The Zoning Act) Chapter 90, Section 9, Chapter 111, Section 125A and Chapter 128, Section 1A.

Section 2 Definitions

“Farm” shall include any parcel or contiguous parcels of land, or water bodies used for the primary purpose of commercial agriculture, or accessory thereto. “Farm” shall include youth related agricultural activities, such as but not limited to 4-H.

“Farming” or “agriculture” shall include, but not be limited to the following:

- \* Farming in all its branches and the cultivation and tillage of the soil
- \* Dairying
- \* Orchards
- \* Production, cultivation, growing, and harvesting of any agricultural, aquacultural, floricultural, viticultural, or horticultural commodities
- \* Growing and harvesting of forest products upon forest land, and any other forestry or lumbering operations
- \* Raising of livestock including horses
- \* Keeping of horses as a commercial enterprise and
- \* Keeping and raising of poultry, sheep, goats, swine, cattle, ratites (such as emus, ostrich and rheas) and camelids (such as llamas and camels), and other domesticated animals for food and other agricultural purposes, including bees and fur-bearing animals

“Farming” shall encompass activities including, but not limited to, the following:

- \* Operation and transportation of slow-moving farm equipment over roads within the Town
- \* Control of pests, including, but not limited to, insects, weeds, predators and disease organisms of plants and animals
- \* Application of manure, fertilizers and pesticides
- \* Conducting agriculture-related educational and farm-based recreational activities, including agritourism, provided that the activities are related to marketing the agricultural output or services of the farm
- \* Processing and packaging of the agricultural output of the farm and the operation of a farmer’s market or farm stand including signage thereto
- \* Maintenance, repair, or storage of seasonal equipment, or apparatus owned or leased by the farm owner or manager used expressly for the purpose of propagation, processing, management, or sale of the agricultural products
- \* On-farm relocation of earth and the clearing of ground for farming operations
- \* Revitalizing drainage or irrigation ditches, picking stone, erecting, repairing or maintaining fences, and clearing, rejuvenating and maintaining pastures and
- \* Herding of livestock from area to area, including along roads

### Section 3 Right To Farm Declaration

The Right to Farm is hereby recognized to exist within the Town of Egremont. The above-described agricultural activities may occur on holidays, weekdays, and weekends by night or day and shall include the attendant incidental noise, odors, dust and fumes associated with normally accepted agricultural practices. It is hereby determined that whatever impact may be caused to others through the normal practice of agriculture is more than offset by the benefits of farming to the neighborhood, community, and society in general. The benefits and protections of this By-law are intended to apply exclusively to those agricultural and farming operations and activities conducted in accordance with generally accepted agricultural practices. For any agricultural practice, in determining the reasonableness of the time, place, and methodology of such practice, consideration shall be given

to both traditional customs and procedures, as well as to new practices and innovations. Moreover, nothing in this Right to Farm By-law shall be deemed as acquiring any interest in land. The protections contained in this by-law do not replace any applicable zoning or legal restrictions associated with agricultural operations.

#### Section 4 Notification to Real Estate Buyers

In order to allow prospective purchasers to make informed decisions prior to a real estate transaction and to promote harmony between farmers and their new neighbors after a transaction, the Town of Egremont requests selling landholders and/or their agents (and assigns) to provide written notice to prospective purchasers substantially as follows:

“It is the policy of the Town of Egremont to conserve, protect and encourage the maintenance and improvement of agricultural land for the production of food, and other agricultural products, and also for its natural and ecological value. This disclosure notification is to inform buyers that the property they are about to acquire lies within a town where farming activities occur. Such farming activities may include, but are not limited to, activities that cause noise, dust and odors. Purchasing, and henceforth occupying land within Egremont means that one should expect and accept such conditions as a normal and necessary aspect of living in Egremont.”

Written notification may occur in one of several ways including but not limited to a disclosure form, addendum to a Purchase and Sale Agreement and should include an acknowledgment by the buyer that they have received notification.

Within 30 days after this by-law becomes effective the Board of Selectmen shall make available for use by selling landowners or their agents (and assigns) copies of example written notifications.

Within 30 days after this by-law becomes effective, The Board of Selectmen shall prominently place in the Town Hall the above disclosure.

Within 30 days after this by-law becomes effective the Tax Collector shall include a copy of the above disclosure with responses to requests for Municipal Lien Certificates.

#### Section 5 Resolution of Complaints

Any person having a complaint about a farm activity or practice is encouraged to seek an amicable resolution to the complaint, including talking directly with the involved farmer. Such person may, notwithstanding pursuing any other available remedy, request resolution assistance from the Board of Selectmen. Such a request does not suspend the time within which to pursue any other available remedies. The Board of Selectmen may appoint a panel of at least three individuals, to include representation from farmers, or refer such request to an Egremont Agricultural Commission, should one exist. Said panel or Agricultural Commission shall review and facilitate the resolution of such a request, and report its recommendations to the Board of Selectmen within the agreed upon time frame.

#### Section 6 Severability Clause

If any part of this By-law is for any reason held to be unconstitutional or invalid, such decision shall not affect the remainder of this By-law. The Town of Egremont hereby declares the provisions of this By-law to be severable.

#### Agricultural Commission

There shall be an Agricultural Commission to address agricultural matters and represent agricultural

interests in the Town of Egremont.

The mission of the Egremont Agricultural Commission shall be to:

- \* Encourage the pursuit of agriculture in the Town, both as a business and as a community resource
- \* Promote the protection and preservation of farms and farmland
- \* Promote agricultural-based economic opportunities
- \* Articulate agriculture-related planning needs
- \* Advise other Town Boards and commissions on activities pertaining to agricultural lands in Town
- \* Act as an educator and negotiator in agricultural matters
- \* Promote the visibility and vitality of farming in Egremont

The Commission shall consist of five members appointed by the Board of Selectmen. At least three of the members shall be actively engaged in agriculture, and the remainder shall be interested in agriculture. The diversity of agriculture in Egremont shall be recognized in choosing the Commission members. The initial terms for the first members of the Commission shall be three years for two members, two years for two members, and one year for one member. Thereafter, the term of each member shall be three years. Vacancies shall be filled by the Board of Selectmen in such a manner as to maintain the cycle of appointments, based on the recommendations of the Commission.

#### BYLAW 22

All Town of Egremont property tax payers have the same right to speak at the Town's Annual Meeting and all other town meetings as those who are registered to vote in the Town of Egremont, subject to the right of the Egremont Town Moderator to maintain order at Town Meetings.

#### BYLAW 23

#### STRETCH ENERGY CODE

"Stretch Energy Code" for the purpose of regulating the design and construction of buildings for the effective use of energy, pursuant to Appendix 115.AA of the Massachusetts Building Code, 780 CMR, the Stretch Energy Code, including future editions, amendments or modifications thereof, a copy of which is on file with the Town Clerk.

#### BYLAW 24

#### DEPARTMENTAL REVOLVING FUNDS

1. Purpose. This by-law establishes and authorizes revolving funds for use by town, departments, boards, committees, agencies and officers in connection with the operation of programs or activities that generate fees, charges or other receipts to support all or some of the expenses of those programs or activities. These revolving funds are established under and governed by General Laws Chapter 44, § 53E½.
2. Expenditure Limitations. A department or agency head, board, committee or officer may incur liabilities against and spend monies from a revolving fund established and authorized by this by-law

without appropriation subject to the following limitations:

- A. Fringe benefits of full-time employees whose salaries or wages are paid from the fund shall also be paid from the fund.
- B. No liability shall be incurred in excess of the available balance of the fund.
- C. The total amount spent during a fiscal year shall not exceed the amount authorized by Annual Town Meeting on or before July 1 of that fiscal year, or any increased amount of that authorization that is later approved during that fiscal year by the Selectboard and Finance Committee.

3. Interest. Interest earned on monies credited to a revolving fund established by this by-law shall be credited to the general fund.

4. Procedures and Reports. Except as provided in General Laws Chapter 44, § 53E½ and this by-law, the laws, charter provisions, by-laws, rules, regulations, policies or procedures that govern the receipt and custody of town monies and the expenditure and payment of town funds shall apply to the use of a revolving fund established and authorized by this by-law. The Town Accountant shall include a statement on the collections credited to the fund, the encumbrances and expenditures charged to each fund and the balance available for expenditure in the regular report the Town Accountant provides the department, board, committee, agency or officer on appropriations made for its use.

5. Authorized Revolving Funds. The Table establishes:

- A. Each revolving fund authorized for use by a town department, board, committee, agency or officer,
- B. The department or agency head, board, committee or officer authorized to spend from each fund,
- C. The fees, charges and other monies charged and received by the department, board, committee, agency or officer in connection with the program or activity for which the fund is established that shall be credited to each fund by the Town Accountant,
- D. The expenses of the program or activity for which each fund may be used,
- E. Any restrictions or conditions on expenditures from each fund;
- F. The fiscal years each fund shall operate under this by-law.

| <b>A .<br/>Revolving<br/>Fund</b> | <b>B<br/>Department,<br/>Board,<br/>Committee,<br/>Agency or Officer<br/>Authorized to<br/>Spend from Fund</b> | <b>C<br/>Fees, Charges<br/>or Other<br/>Receipts<br/>Credited to<br/>Fund</b> | <b>D<br/>Program or Activity<br/>Expenses Payable from<br/>Fund</b> | <b>E<br/>Restriction<br/>s or<br/>Conditions<br/>on<br/>Expenses<br/>Payable<br/>from Fund</b> | <b>F<br/>Fiscal<br/>Years</b>         |
|-----------------------------------|--|---|---|--|---------------------------------------|
| French<br>Park                    | Board of Selectmen<br>and<br>Buildings &<br>Grounds  | Donations<br>received for<br>use of the park                                  | Expenses to operate the park  | No wages   | Fiscal Year<br>2019 and<br>subsequent |
| Home<br>Compost<br>Bins           | Board of Selectmen<br>and<br>Sustainability<br>Coordinator   | Proceeds from<br>sale of bins   | Purchase of new bins to<br>replenish supply                         |  | Fiscal Year<br>2019 and<br>subsequent |

| <b>A<br/>Revolving<br/>Fund</b> | <b>B<br/>Department,<br/>Board,<br/>Committee,<br/>Agency or Officer<br/>Authorized to<br/>Spend from Fund</b> | <b>C<br/>Fees, Charges<br/>or Other<br/>Receipts<br/>Credited to<br/>Fund</b>            | <b>D<br/>Program or Activity<br/>Expenses Payable from<br/>Fund</b>  | <b>E<br/>Restriction<br/>s or<br/>Conditions<br/>on<br/>Expenses<br/>Payable<br/>from Fund</b> | <b>F<br/>Fiscal<br/>Years</b>   |
|---------------------------------|--|--|--|--|---------------------------------|
| Zoning Board of Appeals         | Zoning Board of Appeals  | Special permit application fees  | Expenses associated with special permit applications/hearings (advertising, mailings)  | No wages   | Fiscal Year 2019 and subsequent |
| Dog License & donations fund    | Town Clerk   | Fees charged for licensing of dogs & donations for use of Dog Park                       | Purchase of dog licenses, expenses related to issuing dog licenses, fees to Town Clerk, expenses at dog park (i.e poop removal, fence repairs, etc.) | No wages   | Fiscal Year 2019 and subsequent |
| Inspector Wages                 | Wiring, Plumbing & Gas Inspectors  | Fees charged and received by the inspectors for electrical, gas and plumbing inspections | Salaries or wages of inspectors performing electrical, gas and plumbing inspections and other serviced related to those inspections                  | Does not include Building or Health Inspectors or their expenses                               | Fiscal Year 2019 and subsequent |
| Compostable Materials           | Green Committee and Sustainability Coordinator   | Charges for selling compostable materials  | Purchase of new compostable materials: plates, cups, plastic wear, table covers, etc.  | No wages   | Fiscal Year 2019 and subsequent |
| Recycling Proceeds              | Board of Selectmen and Sustainability Coordinator  | Proceeds from sale of containers, papers, metals   | Expenses related to trash and recycling programs. Purchase of equipment related to trash and recycling programs.                                     |  | Fiscal Year 2019 and subsequent |
| Planning Board                  | Planning Board   | Special permit application fees  | Expenses associated with special permit applications/hearings (advertising, mailings)  |  | Fiscal Year 2019 and subsequent |
| French Park Dog Park            | Board of Selectmen and Trustees of French Park   | Donations from users of the dog park   | Expenses related to the dog park: repairs, poop removal, containers  | No wages   | Fiscal Year 2019 and subsequent |

## REPORT OF THE BOARD OF ASSESSORS

The Board of Assessors, along with our assessing staff provided under contract by Regional Resource Group, continue to assure the fair taxation of all Egremont properties.

The Board of Assessors continues to organize and update assessment records, including real and personal property, as well as protected land. Other efforts included inspecting property after building permits are processed and auditing property files for accuracy and completeness.

Our Board strives to build and maintain good public relations. We provide our residents with:

1. pertinent information by placing notices in the Egremont newsletter covering topics such as property tax abatement information, statutory exemptions for veterans, legally blind and our elderly property owners, and specialty properties including Forest, Agricultural, and Recreational land.
2. abutters lists required for property permits,
3. mailings to those eligible for special tax classification and exemptions,
4. assistance in completing forms for residents who are eligible for exemptions.
5. current property ownership information by processing registered deeds, name and address changes,
6. motor vehicle excise abatements,
7. information on a host of tax and property assessment issues.

As the town's principal revenue generator, the Assessors are constantly on the lookout for properties subject to taxation. We seek to enhance tax revenues by:

8. identifying second homeowners whose household furnishings are subject to taxation; along with businesses that have inventory or fixtures that may be taxable. We have added several parcels to the Personal Property tax records that had previously not been inventoried;
9. making sure that new construction is monitored and assessed, and that property given a certificate of occupancy is taxed at the fully assessed value;
10. reviewing prior years' deeds to verify current property values;
11. monitoring individual assessments to insure that abatements are kept to a minimum, and
12. assuring that all requests for abatements are reasonable and properly processed.

Other office activities included:

1. photographing structures and attaching those photos to computerized assessment records,
2. processing land divisions,
3. reviewing and processing abatement requests,
4. processing personal property forms and chapter land applications,
5. preparing various Department of Revenue reports.

Our GIS mapping system is available online through the Town's website.

Our office hours are Tuesdays and Thursdays from 9AM-12Noon. We and our Regional Assessor from RRG are also available by appointment. Residents can contact us by e-mail at [assessors@egremont-ma.gov](mailto:assessors@egremont-ma.gov) or by phone at 413-528 0182, Extension 14. Current property information can be accessed at our website: [www.egremont-ma.gov/boa.html](http://www.egremont-ma.gov/boa.html)

**Town of Egremont  
Information**

|                           |              |
|---------------------------|--------------|
| Total Parcels             | 1165         |
| Total Acres               | 13,060.55    |
| Acres in Agriculture      | 2126.77      |
| Owners of Agr. Land       | 55           |
| # of Agr. Parcels         | 74           |
| Market value Agr. land    | \$24,732,700 |
| Chapter Land Parcels      | 74           |
| 61 (Forest)               | 17           |
| 61A (Agriculture)         | 55           |
| 61B (Recreation)          | 2            |
| Businesses                | 58           |
| Single family residences  | 770          |
| Multiple                  | 20           |
| Vacant                    | 219          |
| Commercial                | 15           |
| Non-profit organizations* | 13           |

**Forms Processed**

|                         |     |
|-------------------------|-----|
| Abutters lists          | 8   |
| Auto Excise abatements  | 107 |
| Building Permits        | 107 |
| Chapter Land forms      | 66  |
| New Deeds Processed     | 77  |
| Personal Property forms | 290 |
| Statutory Abatements    |     |
| Veterans                | 11  |
| Surviving Spouse        | 2   |
| Gold Star Parent        | 1   |
| Seniors                 | 1   |

**\*Non-Profit Organizations:**

| Name   | Parcels | Acres   |
|--|---------|---------|
| Appalachian Trail Conservancy                    | 6       | 125.17  |
| USA Appalachian Trail                            | 10      | 195.53  |
| Berkshire Natural Resources                      | 1       | 50      |
| Berkshire Village                                | 1       | 10.6    |
| Blue Rider Stable                                | 3       | 12.15   |
| Churches   | 1       | 1.10    |
| Egremont Land Trust                              | 7       | 77.07   |
| Mt Everett Reservation                           | 1       | 16      |
| Mt. Everett Cemetery Association                 | 1       | 2.77    |
| Nature Conservancy                               | 9       | 143.76  |
| Town of Egremont and<br>Egremont Fire Department | 18      | 541.76  |
| United States of America                         | 6       | 95.23   |
| Commonwealth of Massachusetts                    | 22      | 2798.63 |

## REPORT OF THE BUILDING COMMISSIONER

During the fiscal year July 1, 2017 through June 30, 2018 a total of 107 permits were issued.

The permit fees collected and turned over to the Treasurer were \$35,348.00 based on \$6,016,896.00 of construction as follows:

|                                |    |
|--------------------------------|----|
| New Dwellings                  | 4  |
| Additions & Alternations       | 56 |
| Decks & Porches                | 11 |
| Accessory Structures & Garages | 7  |
| Wood Stove                     | 6  |
| Solar Installation             | 6  |
| Roofs & Repairs                | 17 |

Respectfully submitted,

Ned Baldwin,  
Building Commissioner



(Site of the old chapel at French Park -  
Photo courtesy of Tom Reynolds.)

## REPORT OF THE CEMETERY COMMISSION

Egremont Cemetery Commissions welcomed John H. Wells of Boice Road to our commission following the town election of this past May. John is a member of the Egremont Fire Company and is retired from AT & T. We are glad John stepped up to run for commissioner.

The commission bids fare-thee-well to Henry D. Granger of McGee Road. Henry has served the town in many roles, most notably as Cemetery Commissioner for 39 years. We very much appreciate his work and look to him for guidance as we move forward this year and into the future.

Respectfully submitted

David D. Campbell Chr.  
Herman J. Trudeau, Jr  
John H. Wells



(Hillside Cemetery)



(Riverside Cemetery)



(Town House Hill Cemetery)

All photos courtesy of John Wells

## REPORT OF THE CONSERVATION COMMISSION

This past year has been no exception—busy, busy, busy.

Does this opening look like a repeat from last year's report? Well, yes. New? How about 25 public hearings and 37 site visits.

Of course there are the numerous projects and public hearings dealing with everyday issues such as buffer zones along small, sometimes intermittent, streams, septic tank replacements and such. This past fiscal year we've dealt with the usual activity around Prospect Lake with a house tear-down/replacement to minor deck issues. We have and still are dealing with projects involving Karner Brook and the Green River. As one might expect, these are the most complex. Yet, working with property owners and the State DEP we've been able to agree upon solutions.

Regarding projects of any level of complexity, we want to reiterate a procedure to start a project—a Project Review form—available on the Town website under Misc. Forms or at Town Hall on the shelves outside the ConCom Office. This form now is *required* for the ConCom to discuss any project outside of formal DEP filings. The form is similar to ones used by Commissions in neighboring towns.

A note about our Commission. For several months this past summer we were lucky to have as a Commission member Logan Malik, a then recent graduate of George Washington University, who later was awarded a scholarship at Cambridge University (England), where he is now pursuing a Master's Degree. He requested a Leave of Absence from the Commission, instead of resigning. We look forward to his return next spring. Meanwhile, we are always looking for new Commission members. Currently, we have only three of the designated five seats filled, which means if one of us can't make a scheduled meeting, no official business can occur. We're always trying to attract younger members, and in this regard we've signed up with BCC's Career website.

A reminder that the best way to reach us is at [ConCom-egremont.ma.gov](mailto:ConCom-egremont.ma.gov). Emails to this address are automatically sent to all members of the ConCom, ensuring someone will be able to respond promptly to your inquiry, if a specific individual is not available.

Sincerely,

Bill Tynan, ECC Chairman

Alina Hsu, Secretary

David Seligman, Commissioner

## REPORT OF THE COUNCIL ON AGING

Bruce Bernstein, Chairman  
Chet Delaney  
Eve Goldberg  
Georgette Kinney  
Helen Krancer  
Carolyn Palmucci  
Peg Muskrat, Coordinator

Throughout this past year the focus of the COA has been (and continues to be) reaching out and contacting our seniors to determine their needs and wants. Phone calls and personal contacts were made to establish relationships with our seniors and to offer assistance. Our focus was also on helping our seniors remain safe in their own homes. We strove to identify the needs of our older population and work on solutions to their issues.

In conjunction with Chief Josephson and the Egremont Police Department we implemented a program called "Good Morning, Senior". Seniors who choose to participate in the program call in to a designated number mornings between 9:00 and 10:00 and speak with one of volunteers to ensure they are OK. If they don't check in, we call them. If they don't answer we contact the person they designated as an emergency contact. If no response we will dispatch a police officer to their home to be sure they are safe.

Sociability is also important for the well being of our older population. We implemented a monthly "Coffee Hour" at Mom's Café in South Egremont. Seniors meet for conversations on a variety of subjects of interest to them. It's just a time to relax, meet other seniors and have some laughs and good conversations.

COA continues to hold monthly luncheons on the first Wednesday of each month, October thru June, at the Egremont Village Inn. Our October gathering was the annual birthday celebration to honor those turning 90 and all our 90 plus seniors. Other monthly luncheon programs included a drawing class by Eunice Agar, a cooking demonstration by Bob Climo, Fire Safety presented by members of the Egremont Fire Department, and ways to prevent scamming offered by Egremont Police Chief Eric Josephson.

June saw our annual picnic lunch at French Park. For those who were interested there was a one mile walk around the park. Liz Keen, from Indian Line Farm, gave us some gardening tips and offered plants to all.

Our Annual Holiday Party was held in December, also at the EVI. "Sandy and Sandy", Mt. Washington's dynamic duo, thoroughly entertained us with a great variety of well known tunes.

We also had a special event..."The Battle of the Baritones". The performers were John Cheek (Egremont resident and international opera singer), Michael Riley (NY Bass Baritone Singer),

and Robert Kopelson (international pianist and vocal coach). We are so fortunate to have such wonderful talent available to us and it was an amazing afternoon of music.

Since we know falls are dangerous for Seniors and our Berkshire winters can pose many hazards, we started a program called “Sand for Seniors” Small buckets of sand are available for pick up at the Town Hall from November thru March. We also deliver them to those unable to pick them up.

Our world of technology is everchanging and we work to offer our Seniors opportunities to learn about the latest innovations. Liz Jaffe taught numerous iPad/iPhone classes this summer and fall. We will also offer winter computer classes.

Staying healthy is important to all of us. David Katzenstein, Egremont Fire Department volunteer, has generously offered his time and expertise to teach CPR and First Aid Classes. This is an ongoing community program available to all, not just seniors.

Staying agile and mobile is also important to our Seniors. All exercise programs in Gt. Barrington (Claire Teague Senior Center, Simon’s Rock), Sheffield ( Senior Center) and South Egremont Congregational Church are open to all Seniors in South County Towns. All of these exercise programs are reasonably priced. Check the Flyer you received from the COA in September for a detailed schedule or call 528-0182 x24 to request one.

As part of staying safe, COA has “Be Seen, Be Safe” vests available. We worked with AGE Triad to create brightly colored vests to increase visibility for safe walking and hiking on our scenic roads. These vests are available at the Town Hall and the Egremont Police Department. They are free so please get one and be safe!

Egremont is a participating member of the Southern Berkshire Elderly Transportation Corporation (S.B.E.T.C.) based in Gt. Barrington. Our Seniors can call for rides (413 528-4773) and for a \$10.00 round trip fee go anywhere in South County. Round trip fares farther north are \$15.00.

Your COA actively participates on the boards of the Southern Berkshire Elder transportation Council, the Egremont Emergency Management Team, AGE Triad, the Advisory Council of Elder Services, the Berkshire County Regional Coordinating Council Human Service Transportation Office, and the Board of the BRTA



## REPORT OF THE ALFORD-EGREMONT CULTURAL COUNCIL

The Alford-Egremont Cultural Council is funded by the Massachusetts Cultural Council and works closely with the State Agency. We have strict guidelines for accepting grant applications and each member must undergo online training to understand the state requirements. The committee presently consists of 9 members, 3 are from Alford. Members serve for 6 year terms.

This year we were awarded \$8,800 from the state and had an additional \$920 in our unspent account (several approved proposals did not occur). We received 30 applications for grants and approved 25 of them for a total of \$9,720. Applications approved were for local, community enriching events. Not all projects were fully funded in order to stretch the funds to as many applications as possible. The local 4-H Club, the Boots and Bridles, received aid to compensate for their annual dues. The Cultural Council grants brought hands-on arts and science programs and a sculpture workshop to our local schools. Trips by students to Plimoth Plantation and the Berkshire Botanical Gardens were sponsored. Local children received scholarships to attend choral and performance groups. Local cultural groups – Berkshire Playwright Lab, Aston Magna Foundation and Music in Common – received grants to introduce live theater and music to local children and for the enjoyment of adults. Adult programming also included support for a variety of activities such as a ukulele band and a presentation on ceramics. In addition, the Cultural Council helped fund the Alford's Dancing in the District, Mount Everett Middle and High School World Language Celebration and the Blue Rider Circus.



## REPORT OF THE EMERGENCY MANAGEMENT TEAM

The Egremont Emergency Management Team consisting of the Emergency Management Director, Fire Chief, Police Chief, Board of Health, Highway Superintendent and several other citizens, meets monthly throughout the year. Federally mandated National Incident Management System training is accomplished as courses are updated and new personnel are added. Monthly meetings of the Southern Berkshire Regional Emergency Planning Committee are attended by several members; we also meet with National Grid to keep informed about winter storm procedures and power outages from storms.

Our range of seasons provides opportunities to exercise pre-planning efforts. As a result of several lost persons calls, new procedures have been implemented for incident response and command decisions.

Emergency Management Planning Grants were used to update resources, including new radios and generators.

The Town's emergency telephone alert system has been used for several calls regarding road closures, water main repairs, meeting announcements and other timely issues with good feedback. It is reviewed and updated monthly.

The TEEM continues to work closely with the Alford Egremont Great Barrington TRIAD to provide planning and information for senior citizens as well as those in our town with special needs.

The Egremont Emergency Management Team also meets with other Town Boards as necessary and thanks them for their cooperation.

Respectfully submitted,

Edward G. McCormick  
Emergency Management Director



(The Egremont Firemen let the Boy Scouts play with a fire truck when the boys camped at French Park this past summer)

## REPORT OF THE FINANCE COMMITTEE

The primary responsibility of the Finance Committee is to make recommendations to town residents on all financial matters that come before the town, including the budget presented at town meeting.

At the May 2017 annual town meeting, Egremont voters approved an operating budget of \$2,563,979 for the 2017-2018 fiscal year ("FY18"), an increase of 3.2% over fiscal year 2016-2017 ("FY17"). Townspeople also approved \$52,566 for school bond repayment. The school operating and transportation budget (\$1,511,376) and school capital budget (\$47,676) were defeated but subsequently approved at a special town meeting in June 2017. The school budget and bond payment total \$1,611,618, an increase of 1.5% over the FY17 school budget due primarily to the school bond payment. The total line item budget for FY18 is \$4,175,597, an increase of \$102,753 or 2.5% overall.

In addition to the line item budget, voters also approved special articles totaling \$467,469:

1. \$251,816 for the Water Department (comprised of \$210,000 from user fees, \$31,394 from Water Department retained earnings and \$10,422 from a town taxpayer subsidy.)
2. \$19,000 to resurface a portion of the Water Department driveway to its plant
3. \$25,000 for town hall repairs
4. \$9,000 to paint the salt shed
5. \$8,500 to make safety repairs at French Park
6. \$30,000 for a tractor for the Highway Department
7. \$35,153 for a new police vehicle
8. \$9,000 to purchase street name signs (required by Federal Highway Administration Department)
9. \$5,000 as a donation to the Friends of Prospect Lake
10. \$4,000 MACRS historic listings (this years' installment of \$40,000 over 10 years)
11. \$1,000 to restore books and ledgers
12. \$15,000 to fund the GASB Stabilization Fund (to help pay for future health benefits)
13. \$55,000 to Stabilization Fund (to bolster our reserves)

Balances in reserve accounts after the annual town meeting were (a) Free Cash \$43,787, (b) Stabilization Fund \$454,164 and (c) Reserve Fund \$25,000. Free Cash was then certified adding in FY18's numbers by the Department of Revenue in August of 2018 as \$349,771. Water Department Free Cash was certified at \$20,913.

Our reserves as of June 30, 2018 totaled \$522,951, 8% of the town's budget, which is within the range of the 6 to 10% of a town's total budget recommended as best practice.

The tax rate for FY18 was \$9.62 per \$1,000 of assessed valuation, a rate increase of 3% over FY17.

Salaries (including collective bargaining), wages and fringe benefits totaled \$1,443,692, a decrease of 1% from FY17. These costs are approximately 36% of our total operating budget.

The Police Department operating budget (including collective bargaining and the debt payment on the police facility) totaled \$410,789. Computer expenses, maintenance expenses, insurance for the chief and employees (included in insurance premiums) totaled approximately \$100,000. When other incidentals are added in, the Police Department costs nearly \$500,000 a year to run. As noted above, a new cruiser for our Police Department was also approved.

The Highway Department budget, including collective bargaining, totaled \$549,670. Snow and Ice was over budget by \$70,968. It should be noted that snow and ice expenditures may also be used to repair and maintain our trucks and plows. Our selectmen, in concert with the highway superintendent, authorized studies to determine the condition of the roads in Egremont by the Berkshire Regional Planning Commission, one in 2014 and one in 2016. It is very likely that monies in addition to the Chapter 90 highway funds we receive from the state each year will be needed for road maintenance and repair. The Department also received approval for a new or used tractor.

In municipal accounting jargon, "Free Cash" is the total of funds not expended and revenues in excess of estimated receipts as of the end of a fiscal year. "Raise and appropriate" means money from real estate and personal property taxes. A "Stabilization Fund" accumulates amounts for capital and other future spending purposes that may be appropriated (for any lawful purpose) by a two-thirds vote at town meeting. Free Cash and Stabilization funds are types of "available funds" and are frequently appropriated to meet unforeseen expenses or capital expenditures, or for other one-time costs. "Reserve Fund" is a fund to cover unforeseen or unexpected expenses. Historically, the town approves \$25,000 for the Reserve Fund. If something so catastrophic as to exceed available reserve funds should arise, the Finance Committee believes a special town meeting should be called to deal with it.

On the liability side, the town's outstanding debt (including interest) as of June 30, 2018 totaled \$470,020, and is comprised of debt for the Water Department of approximately \$393,000, for the police facility of \$158,850, and for a fire truck of \$61,170.

In 2016, the town meeting authorized borrowing \$2,940,000 to apply toward the costs of building a broadband network to provide internet service to Egremonters. A portion of that amount was and still is to be funded by the Mass Broadband Institute. It was expected that Charter Communications (Spectrum) would build and operate the network, but the selectmen have recently voted to terminate negotiations with Charter. In the meantime, a local broadband company named Fiber Connect is also bringing fiber optic internet to our town, without financial support from the Mass Broadband Institute. How much Egremont may be required to spend to bring internet/broadband to the entire town remains unknown

A Special Town Meeting was held in June 2017, at which time the townspeople voted:

1. \$1,511,376 to fund its share of the FY18 Southern Berkshire Regional School District ("SBRSD") operating and transportation costs and \$47,676 to fund its share of the SBRSD capital costs, expenditures which the voters had defeated at the May 2017 meeting
2. 55,000 to purchase a new one-ton dump truck for the Highway Department
3. \$3,700 additional monies toward purchase of a police cruiser (from Free Cash)

The voters defeated a move to appropriate \$535,500 for the first half of the costs of engineering and construction expenses associated with the reconstruction of Mount Washington Road.

Another Special Town Meeting was held in March 2018, at which time the townspeople voted:

1. \$14,700 for additional funds for the Police Chief's salary
2. \$5,700 for a new voting tabulator
3. Another \$75,000 to fund repairs to the South Egremont School

Respectfully submitted,

The Finance Committee for July 1, 2017 thru June 30, 2018 (FY18)

Laura Allen, Chairman  
Thomas Berkel, Secretary  
Edward (Rocky) Scarbro

Michael Bandzierz, Vice Chairman  
Ralph Noveck  
Steve Rawlings



(Rainbow looking from Town Hall window-  
photo courtesy Sue Funk.)

## REPORT OF THE FIRE DEPARTMENT

### Roster

Chief Joseph Schneider

Deputy Chiefs William Turner and James Olmsted

Captain Jim Golden

Captain David Guidi

Lt. Paul Sierau

Lt. Roger Meyer

Gregory Peck

Lane Farnum

Bruce Turner

Roger Bailey

Vincent Murphy

David Katzenstein

John H. Wells

Tom Sierau

Robert Brown

Kevin Wheeler

Herman Trudeau Sr.

Ed Rossi

Emma Hobson

The members of the Egremont Fire Department meet at least every Tuesday for training, maintenance of equipment and organizational meetings. We additionally train as a group with neighboring departments. Some individual members participated in surface/swift water rescue and rope rescue training with the Mass Fire Academy for several days. A core group trains in rope rescue skills several times a month. We continually refresh our First Responder Medical training including the use of Naloxone and Epi pens. Chief Schneider continues his Code Enforcement classes. Chief Schneider, Captain Golden and Lt. Sierau participated in a very intense 4 day officers class.

We have had another very busy year. There were over 200 responses to calls for help in fiscal year 2018. We prepared the specifications and ordered the new Rescue Truck, which will be here in September of 2019. Several days of meetings with manufacturer's went into the process. Lots of changes and great ideas went in to the process to get us the best truck to functionally work for us and help protect our community when seconds count. We are very grateful to the taxpayers of the town for being supportive of the Egremont Fire Department.

We still occasionally encounter homes without clearly displayed 911 signs. We also encourage all homeowners, particularly those with reporting alarms, to purchase a Knox Box. Knox Boxes eliminate the need for us to use force to gain entry to your home if an emergency occurs and no one is available to let us in. Information regarding 911 signs and Knox Boxes is available at Town Hall.

We are always looking for new recruits. We are looking for motivated, disciplined men and women. Firefighting is a challenging opportunity to serve your community. If you think that you have what it takes to be a firefighter, please join us any Tuesday evening at either firehouse. We serve with pride.

We thank you for your continued support and hope that we all have a safe year.

| Calls              | 7/1-12/31/<br>2017 | 1/1-6/31<br>2018 |
|--------------------|--------------------|------------------|
| Medical            | 42                 | 40               |
| MVA                | 6                  | 9                |
| Search             | 5                  | 3                |
| Rescue             | 6                  | 4                |
| Structure Fire     | 2                  | 3                |
| Chimney Fire       | 2                  | 0                |
| Vehicle Fire       | 0                  | 0                |
| Appliance fire     | 1                  | 0                |
| CO Alarm           | 5                  | 2                |
| Smoke Alarm        | 0                  | 5                |
| False Alarm        | 35                 | 21               |
| Outside Fire       | 0                  | 2                |
| Service call/Other | 7                  | 7                |
| Tree Wire Pole     | 2                  | 0                |
| Chief Calls        | 0                  | 2                |
| Mutual Aid         | 3                  | 2                |
| <b>Totals</b>      | <b>116</b>         | <b>100</b>       |



## REPORT OF THE GREEN COMMITTEE

Richard Allen, Susan Bachelder, Corinna Barnard, Emily Eyre, Robin Goldberg, Juliette Haas, Pat Konecky, and Marj Wexler (rotating chair)

In April, we held our 10th annual Egremont Recycles Day. More than 87 volunteers scoured all 41 miles of roads in Egremont to pick up roadside trash. More than 100 bags, totaling more than 937 pounds, were brought to Green Committee members for sorting and recycling. That evening, our thank-you pizza party (paid for by the returned bottles and cans) at the South Egremont Congregational Church was enjoyed by all volunteers who attended. Join us in April 2019 for the 11th annual event!

Our series of almost-monthly articles in the Berkshire Edge continues. The 2018 articles covered subjects such as “wishful” recycling (dropping items into the Recycle Bin that we *wish* were recyclable but are not), increasing our use of renewable energy to combat climate change, the reduction of the tonnage of solid waste (aka regular trash) in Egremont, and Egremont’s adoption of a pollinator-friendly resolution at our annual town meeting.

One member has been involved with the Berkshire Green Committees Network. She keeps us informed of their activities.

We have a continuing relationship with Goodwill Industries, which helps keep reusable items out of the trash stream, and we look forward to having, with state help, a bin to recycle mattresses at the Transfer Station.

A year ago, after Hurricanes Harvey and Irma, our Sustainability Coordinator began to collect redeemable bottles & cans at the Transfer Station, with proceeds going to hurricane recovery efforts. The Green Committee continued the work for another 10 months, trying to engage nonprofits on a monthly basis in exchange for the proceeds. Unfortunately, finding volunteers proved to be a challenge, and ultimately we had to give it up.

The household composting bin at the Transfer Station continues to be popular, and much of this relatively heavy component of trash is diverted from landfills. Residents take home the final product to enrich their gardens. We are grateful to the Highway Department for their invaluable work in turning the compost piles.

The Green Committee has compostable tableware (plates, cups, utensils) available for residents to purchase for parties. We buy in bulk and sell at our cost. Call or email any of us for more information.

And finally, we enjoy providing the Eco-Tips for Egremont’s Town Newsletter.

Respectfully submitted,  
Marj Wexler

## REPORT OF THE BOARD OF HEALTH

Charles Ogden, Chair  
Dr. William Rose  
Ellen Maggio  
Jayne Smith, Alliance Health Agent

July 1, 2017 through June 30, 2018 was another active period for the Egremont Board of Health (EBoH). We continued to address the many public health issues that came our way and serve the residents of Egremont.

The town continued to employ the services of the Berkshire County Health Alliance (the Alliance) to perform the majority of our required field work. Alliance services provided Egremont with highly trained and experienced inspectors who cover the broad realm of the department's statutory responsibilities during the year. Title 5 related field work (percs, Title 5 witnessing, septic installation inspections, etc.), restaurant inspections and housing inspections require a great deal of study and certification from the inspector. Jayne Smith of the Alliance has been our primary field person for the past year and Egremont is extremely lucky to have her on board. Not only does Jayne possess the long list of certifications, but she is thorough and fair in her inspections ensuring the utmost in protecting the health and safety in our community. The Alliance also provides Egremont with the services of a public health nurse who organizes and administers our annual Flu Clinic and follows up on required disease surveillance through the state MAVEN system.

Employing the services of the Alliance has allowed the Director to provide more one-on-one time with members of the community and run the day to day operations of the department. The Director acted as the EBoH spokesperson at town board and committee meetings and as liaison to area contractors to schedule necessary field work. To that end, the EBoH is a well run department with organized records which often provided key information on a property as it pertains to location, description and age of wells and septic systems.

The EBoH continued to provide well and drinking water protection services. Septic systems, as described in the lengthy state Title 5 code, fall under EBoH purview. Every septic system installation or repair is fully reviewed by the board at one of the bi-monthly meetings. No two scenarios are the same and the board continues to strive for consistency and fairness in its decisions.

The board extensively updated the town's Tobacco Regulations by raising the age to purchase tobacco related products from 18 to 21 years of age. Since that time, the state adopted a similar measure in the legislature for all cities and towns. The town's Solid Waste Hauler Regulations were updated as well, making it mandatory that all garbage haulers in Egremont provide recycling services in their trash collecting.

The board issued approximately 25 food permits last year. This includes our restaurants, inns, B&Bs, retail food establishments, temporary food events, etc. The permitting process includes inspections of the facility and follow-up services in the event of a code violation. The board also

issued approximately 45 well and septic permits, either for new construction or upgrades or repairs to existing systems.

Preserve. Protect. Prevent. That continued to be at the heart of the focus of the Egremont Board of Health. With this in mind, we look forward to serving our residents in the future.

Respectfully submitted,

Juliette Haas  
Director



(Bear on Boice Road -  
Photo courtesy of Sarah Verreli)

## REPORT OF THE HIGHWAY SUPERINTENDENT

The Highway Department performed the annual grading and graveling of unpaved roads. Roadside drainage ditches were cleared and catch basins cleaned out. Storm clean-up of trees and branches was completed throughout the year. Roadside mowing and brush cutting along with weed-whacking was also performed. Guardrail was repaired along Route 71. Damaged or missing street signs were repaired or replaced. Line painting of roads was completed. Potholes were patched and blacktopped. Maintenance and repair of equipment was performed.

During the Winter months the roads were plowed, sanded and salted during and after each storm.

Reclamation and paving of Ox Bow Road was completed. Reclamation and paving of Baldwin Hill Road West from Phillips Road to Blunt Road was also completed. Total cost of these projects was \$170,000.

The Highway Department would like to thank all those who assisted the Department this year, including the Board of Selectmen, the Fire Department, the Police Department, Town Hall office personnel, the Maintenance Department and numerous contractors. Thank you all for your hard work.

Respectfully submitted,

James Noe  
Egremont Highway Superintendent



(Hot Air Balloon at Prospect Lake -  
Photo Courtesy of Nina DeLuca)

## REPORT OF THE HISTORICAL COMMISSION

The Town of Egremont has seen some truly long term historic events this year. Most notably the re-construction of the foundation of the South Village School had all of south county driving by the "flying school" all Spring and Summer, culminating in a wonderful 243rd Town birthday party where both Sen. Adam Hinds and Rep. Smitty Pignatelli recognized our historic birthday and the value a small school can add to a child's educational experience. The Historic Commission was delighted to see ten years of hard work come to fruition in this town celebration of our unique village environments.

We now look forward to concentrating on our other historic buildings, the Mt. Everett Academy aka the Library, and sprucing up Town Hall. Having been built in the 1970's, the Town Hall is cuspig over into historic building territory. A new private home on the site of the Egremont Inn fire is adding additional charm to Sheffield road, and four new businesses on Rte 23 in our Historic Village District have enlivened the west end of town. The Commission would like to thank the owners of these businesses. Their presentations and discussions with the Commission to promote an harmonious visual have gone a long way to maintain the Town's visual integrity as an attractive and economically vibrant community.

Still in discussion is the transfer of the Kellogg farm's ownership from the ATC to Greenagers. While this historic property has many preservation restrictions on it, the Historical Commission has supported this transfer and looks forward to working with the new owners in their conservation and historic educational expansion on this historic site.

It is the intention of the Commission to continue to pursue a more active engagement with the EFD and the Library Commission to develop a preparedness plan that factors in the evacuation of the Historical Commissions objects and records.

The MACRIS upgrade is moving into its third year. With over 200 properties listed with the State as having historic interest, this resource cannot be underestimated. Lynn Wood and her daughter Beth introduced the Commission to their new business, a full presentation portfolio tracing a house's ownership from original deeds, using both MACRIS and other sources. The results were sensational and the Commission appreciated knowing about this use of historic resources.

Also, as the Mass. DOT begins the renovation of Rte 23, the historical commission will follow closely the lighting and configuration of sidewalks to support our National Register Historic District designation, two areas that clearly degraded the historic impact of our neighbor Great Barrington.

We have had several resignations and new members join us this year. The Commission thanks Nic Cooper and Margaret Cherin for their service.

## REPORT OF THE EGREMONT FREE LIBRARY

Egremont Free Library is a welcoming place for community members to gather. We offer the latest novels, non-fiction titles, DVDs, children's books and audio books. Patrons and visitors also have access to 24/7 high speed internet. We have a computer with a large, wide screen HD monitor. Two computers are available to patrons for personal and work use. A cozy "nook" area with a rocking chair and comfortable reading chair are available to those who would like to enjoy some quiet time while visiting. There is also a work table for those who need some privacy while working on their computer/device.

New families have moved into the area and/or grandparents are visiting with their grandchildren. There is a fun kids area with Legos, puzzles, Calico Critters, a doll house, Thomas the Tank Engine trains and finger puppets, and of course books! There are new children's "play" area rugs for more imaginative play as well as new building toys for children ages three and up.

Our non-fiction book club meets regularly. This year's books were *Hidden Life of Trees* by Peter Wohlleben; *Lab Girl* by Hope Jahren; *Cutting for Stone* (fiction) by Abraham Verghese; *Uncle Tungsten* by Oliver Sacks; *Bears in the Street: Three Journeys Across a Changing Russia* by Lisa Dickey.

In November of 2018, Egremont Free Library teamed up with Mount Washington library to offer a day trip to the New England Historic Genealogical Society in Boston, MA for a tour of the society and a presentation on how to start researching family ancestry.

Lesliann regularly helps several patrons download audio and ebooks via C/W MARS digital library and Boston Public Library onto their personal devices. She has helped patrons on several devices including Kindles, Nooks, iPads, iPhones and Kobos.

EFL offers museum passes to several area cultural attractions, which have been widely used by patrons. Passes to Norman Rockwell Museum, Chesterwood, The Clark Museum, Berkshire Museum, Hancock Shaker Village, and Mass MoCA are available throughout the year.

Membership to the Central Western Massachusetts Automated Resource Sharing C/W MARS network has brought new patrons to Egremont Free Library. Egremont home owners who frequent other area libraries discovered EFL offers many "in demand" books and DVDs. As a reminder, with membership to C/W MARS, patrons may order items online and have them sent to EFL's location rather than sending them to Sheffield or Great Barrington. As always, Lesliann is happy to order books for patrons if they would rather order interlibrary loan books at the library rather than online. Also, patrons may now order audio books and e-books on their devices via C/W MARS. Another huge benefit is the ability to return books from other libraries to EFL's drop box outside the library. For example, if you have items from Mason Library and you would rather not fight the traffic in Great Barrington, you may drop your items in the "drop box" at EFL located at 1 Buttonball Lane in South Egremont. The items are checked in at EFL and delivered to Mason Library.

All are welcome to visit Egremont Free Library during library hours on Monday, Tuesday and Thursday from 2 to 6 p.m. and Saturday from 9 a.m. to 12 p.m.

Respectfully Submitted,  
Francine Groener  
Library Trustee Chair

## REPORT OF THE PLANNING BOARD

**Personnel:** Don Pulfer, Chairman; Helen Krancer, Vice Chairwoman; Lucinda Vermeulen, Clerk;

Ed Regendahl, Treasurer and Greg Cherin, BRPC Representative. In April Don Pulfer announced to the Board that he would not seek another term after 5 years of valued service. The annual reorganization of the board occurred on May 15, 2018 as follows: Lucinda Vermeulen, Chairwoman; Greg Cherin, Vice Chairman; Helen Krancer, Treasurer; Ed Regendahl, Clerk and newly elected Jared Kelly, BRPC representative.

**Citizens' Questionnaire:** The Board completed an eight question survey and mailed it to citizens. The Board has been happy with a robust response level of over 35%. We will continue analyzing the answers and report our findings to the Town in the upcoming year.

**Division of Land:** The Board reviewed and approved three applications for Form A land divisions.

**Special Permits:** None

### **Public Hearings:**

- March 6, 2018 on Bylaw 4.3.6.2 Common Driveways Requirements language change and Bylaw 5.6.3 Large-scale Ground-mounted Solar Photovoltaic Installation (LGSPI) Overlay Requirements language change.
- March 19, 2018 on proposed changes to the Town Bylaw establishing a Recreational Overlay District.

### **Special Town Meeting March 27, 2018:**

- The Town Meeting voted to refer the Recreational Overlay District bylaw to the Planning Board for review and to report to the Selectboard by October 31, 2018.
- The Planning Board's motion to amend Town's Zoning Bylaw 4.3.6.2 Common Driveway Requirements was defeated.
- The Planning Board's motion to amend Town's Zoning Bylaw 5.6.3 Large-scale Ground-mounted Solar Photovoltaic Installation (LGSPI) Overlay District, clarified language and the motion passed.

### **Additional Board Activities:**

- The Board attended BRPC seminars and meetings.
- The Board sought advise as necessary from Town Council.
- The Board gave advise to citizens.

**Minutes for all Planning Board Meetings are available through the Town website in the archives section.**

**Bob Krupski Plumbing, Inc.**

*-Licensed Master Plumber -- License# 10391*

*Oil Burner Technician--License # 022053*

Plumbing Inspector Towns of:  
Alford - Egremont  
Great Barrington  
Monterey - Mt. Washington  
New Marlborough  
Sheffield

P.O. Box 111, Sheffield, MA 01257  
(413) 229-8019  
(Fax) 229-2210

September 10, 2018

**TO: Town of Egremont**  
**RE: Plumbing / Gas Inspections – July 1, 2017 – June 30, 2018**

**During the year July 1, 2017 through June 30, 2018:**

**PLUMBING:**

**Issued 37 plumbing permits**

**Conducted 65 on-site inspections.**

**Collected \$ 3,900.00 in fees.**

**GAS:**

**Issued 8 gas permits**

**Conducted 8 on site gas inspections**

**Collected \$ 480.00 in fees**

**Sincerely,**

**Bob Krupski,  
Plumbing Inspector**

## REPORT OF THE POLICE DEPARTMENT

As the newly appointed Chief of Police for the Town of Egremont I would like to thank the Board of selectmen for the opportunity to serve your community and become part of something special. Since my appointment in February, I have met some wonderful people who have welcomed me and made me feel and at home.

On April 21<sup>st</sup> I was officially sworn in as your Chief of Police. The weather held out for us and we had the opportunity to hold an Open House. The event was well attended, and we were very proud to have been able to show off the facility and equipment the Town supports every year. We can not thank you enough.

During my first six months here, I have worked tirelessly to continue to advance Police Services and build on the foundation that Chief Race and acting Chief Shaw had established before my arrival. Since my arrival, we have instituted Rules and Regulations, begun the process of updating the department's Policies and Procedures and reducing liability through the review of past contracts and services. Officers have continued with their "In Service training" and have put in countless hours making up for staff shortages so that the community is protected.

There have been some changes in our full-time staffing with the resignation of Officer Hungate in March, and Officer Kemp this summer. Officer Maximilian Kolb has been selected to fill one of the open full-time positions and is set start the Police Academy in October of this year. He will be joining Officer Carlson as our second full-time officer when he graduates in the Spring of 2019. We hope to have our third full-time position filled in the very near future.

I would be personally like to thank our part-time officers who dedicate their time to serve the community. Officers Sutton, Officer Pravia, Officer Brown, Officer Minacci, and Officer Race invest time every month helping to fill open shifts on their time off despite the demands of their regular jobs and their families. I would also like to thank Margaret Bower-Avenia who as my Administrative Assistant, is the backbone of the department.

The town committed to and approved the purchase of the new cruiser which will be arriving in September. This new vehicle will allow our officers to safely respond to emergencies in the town and allow access to areas that are often not accessible by car.

We have been very involved with the Council on Aging. I have had the opportunity to attend several luncheons with the "crew" and have always found myself walking away better for the experience. We have also been working with Peg Muskrat and the COA to launch our "Good Morning Senior" program in early September. The program is available to all Egremont residents at least 65 years of age who live alone or would benefit from someone checking in on them. The program to date has been a great success.

We look forward to continuing our partnership with the community by providing the best possible service. If there is ever a problem, please do not hesitate to contact us as we are here for you.

Respectfully,

Erik H. Josephson

Chief of Police



(Chief Josephson attended the COA Luncheon)

## REPORT OF THE BOARD OF SELECTMEN

The Board is disappointed to report that negotiations with Charter/Spectrum for Broadband and Cable TV have been suspended. The Board voted unanimously to no longer seek to move forward with Charter/Spectrum. The town will issue an RFP seeking a qualified vendor to service 100% of the Town. Fiber Connect has almost completed its Phase 2 build-out.

The saga of the historic South Egremont School house continues. The foundation stabilization project was completed in August before school was scheduled to open. The Southern Berkshire Regional District School Committee continues to put up hurdles that the Town has successfully navigated to date, but the School Committee continues to put off moving the classroom into the school house. The classroom, which includes 15 pre-kindergarten and kindergarten students, continues to be housed at Undermountain Elementary as of this writing.

The Board sought, and was granted from the Architectural Access Board, a time waiver to August 31, 2019 to make the very important ADA upgrades. The Town has just completed the application for funding of the ADA upgrades and is committed to making these upgrades even if the Town has to fund the approximate \$110,000 cost.

The Southern Berkshire Regional School District has formed a Committee to review the formula used to assess the Towns for the school's operating costs. The current formula does not have any protection from a town encountering a large spike in their assessment in any given year. The Committee was formed to come up with a formula option that would give that protection, and that all five towns in the district would have to approve.

The South Egremont Church still struggles to keep its congregation and to fund necessary repairs. A volunteer group of concerned citizens- Friends of the Egremont Meeting House- that was formed to save and restore our church as a Community Center and as a tribute to the living memory of the congregation that nurtured the Church from the earliest years of the twentieth century has not been able to come to successful terms with the Church.

Road repairs are an ongoing struggle for all towns. The Town successfully funded phase 1 of the \$535,500.00 engineering work for the Mount Washington Road in hopes of obtaining State and Federal funding through the Transportation Improvement Plan. That engineering work began this past summer with borings of the roadway bed.

Town meeting authorized the Board to move forward with four units of affordable housing on the Town Hall property located at 171 Egremont Plain Road. Town Meeting did not approve the funding mechanism so Construct will be moving forward with the project. The Board will grant Construct a 99 year lease of the land. The units will be constructed from 2 houses that were donated and will be moved to the property in March of 2019.

The Board hired a new Police Chief in March of 2018 who, unfortunately, has already informed the Board that he will not stay on past June of 2019. Egremont's Police Department, though small, is mighty and many faceted. The Board keeps hoping for a long term commitment that will move its department forward in a world that is very uncertain.

French Park is getting a new, professional grade Tennis Court thanks to a resident who has made a very generous donation for its construction. In the near future the park may also be home to a pickle ball court. With the playground expansion and up-grade the town not only boasts an innovative, but an attractive and colorful, playground that children of all ages can, and do, enjoy. (Pictured below.)

The Greenagers completed the eight raised beds in French Park and grew organic produce throughout the summer which was provided to members of our community. (Pictured below.)

The Board thanks all of the Town's officials, board/committee members and employees. Egremont is a well run wheel thanks to the efforts, many of which are volunteer, of all who have stepped up to participate in town government.

Board of Selectmen  
Bruce Turner, Chair  
George McGurn, Vice-Chair  
Mary Brazie



(Gardens at French Park)



(Tennis court construction at French Park)

Both photos courtesy of Tom Reynolds

## REPORT OF THE SUSTAINABILITY COORDINATOR

The Town of Egremont continued to benefit in grant funding from becoming a state designated Green Community. In addition to the initial grant of \$138,000 received in 2016 (which went toward the purchase of new, more efficient heating systems for various town buildings), the town applied for the Green Communities Competitive Grant program in spring 2018. As a result, the town was informed that we will receive an additional \$7500 to yet again help fund more energy efficient systems for our town buildings. These improved energy systems will continue to reduce the town's reliance on fossil fuels while saving the town money in energy related capital costs.

The photovoltaic (pv) solar arrays at the Egremont Highway Garage, Water Department and Police Department continue to delivery reduced electricity costs to the town. In addition to the electricity dollar savings, the town received approximately \$4,500 in SREC payments from the Water Department and Police Department installations. Similar annual SREC payments will continue for the next 7 years.

In January 2017 Egremont entered into a contract with Colonial Power to provide residential electric aggregation services. Since that time over 600 Egremont residents have signed on with the program receiving kilowatt rate savings for their residential electric use. The power is not only less expensive, but comes from a green source.

At town meeting in May of 2017 voters approved entering into a 20 year contract to receive the benefits of pv solar net metering for municipal electricity usage. In the winter of 2018 the town signed with NuGen Capitol to purchase electricity from a commercial solar array in Eastern Massachusetts. Once the utility gives the go ahead to turn that system on, the town is anticipated to received a 20% discount on current electricity costs through net metering credits. This is estimated to save the town \$5000 a year in energy costs.

On the solid waste front, after having a slow and steady decrease in annual solid waste tonnage for the past four years, Egremont saw an increase of 9% for FY2018. It is hard to pinpoint exactly why this increase occurred. The strong economy could have something to do with it (people bought more newer things and threw out the old things) as could the restrictions on certain recyclables in world markets. Egremont residents actively participated in the many waste reduction programs offered here in town -- the Swap Shop and community composting bin at the Transfer Station and our collaboration with Goodwill Industries to name just a few. These waste reductions programs helped the town receive a MassDEP Recycling Dividends Award in the amount of \$4500 which was spent on the purchase of a new bottles and cans dumpster at the Transfer Station.

Respectfully submitted,

Juliette Haas  
Sustainability Coordinator

## REPORT OF THE TECHNOLOGY COMMITTEE

Technology Committee. The Egremont Technology Committee (TC) was formed in August 2015 by vote of the Select Board for the purpose of determining options, evaluating proposals, and recommending solutions to meet the high-speed broadband networking needs of the Town. As of June 30, 2018, the volunteer members of the committee are Egremont residents George McGurn (chair and Select Board liaison), Jeff Lazarus (co-chair), Laura Allen (Finance Committee liaison), Mark Roggen, Jonathan Taylor, John Wells, and Marj Wexler.

Background. For several years before formation of the TC, the Town had engaged in significant broadband planning work, primarily through its participation in WiredWest, a consortium of western Massachusetts towns investigating a regional approach, which ultimately failed to materialize. In summer 2015 the Town received two unsolicited proposals from private companies to build and operate private broadband networks in the Town. These proposals were the catalyst for formation of the Technology Committee. The TC reviewed these proposals and met with the vendors during fall 2015. In the end, the TC recommended that the Town dismiss these proposals and instead pursue an independent approach, similar to several other towns such as Alford, Otis, Mt. Washington, and others. Accordingly, the Town issued a Request for Proposals for network design, engineering, consulting, and project management in May 2016. This was to be followed by an RFP for construction, and then a final RFP for network operation and maintenance.

There were four RFP bidders, but in July 2016 on recommendation of the TC, the Select Board voted to dismiss all RFP bidders and instead engage with MBI for management of the broadband project. Under their “Municipal Project Assistance Program,” MBI was to vet and supervise contractors for pole survey, design/engineering, and construction of a Town-owned municipal broadband network. Through a subcontractor, MBI conducted the pole survey work during fall 2016. But then in January 2017, MBI abandoned their Municipal Project Assistance Program, a setback for the Town. Instead, MBI offered a new “Private Provider” program through which they contracted with Charter Communications to provide a conventional cable TV system with internet and telephone options. On April 10, 2017, the Select Board voted to accept this program. In June 2017, MBI completed its contract with Charter, which included a state grant of \$1,185,000 to Charter as an inducement for the Egremont build-out.

FY 2018 year in review (July 2017 through June 2018). Cable TV service is highly regulated at both the federal and state levels. The Massachusetts Department of Telecommunications (DTC) oversees the initial process of developing and executing a Cable Franchise License Agreement between a town and a cable TV provider. Normally, the first step is for a town to advertise a public notice and allow a 60-day period for interested cable TV providers to submit proposals. The Town of Egremont applied for—and was granted—a waiver for this step because the MBI Private Provider program fulfilled this requirement. The next step was for Charter to submit a formal application with their proposed cable franchise agreement, which they did on September 11. This began a DTC-mandated 90-day negotiation period.

The TC reviewed Charter’s submission in detail, consulted with the Town’s Special Telecommunications Counsel, and met on September 25 to discuss the proposal and to formulate the Town’s response. Charter’s initial draft was unsatisfactory in several respects. For example,

Charter's definition of "standard installation" was an aerial "drop" of up to 125 feet. But in rural communities like Egremont, most houses are a lot further than 125 feet from the road, and in many cases the utilities are underground. Many other towns in the Commonwealth have a much more generous definition of "standard installation." The TC identified a total of 14 issues with the agreement, and the Town asked for a meeting with Charter officials to discuss these. Although the Town was prepared to meet on short notice, Charter was unable to meet until November 10.

At the meeting, Charter representatives were able to address some of the issues while others had to be taken back to their upper management for review. They promised a response by the end of November. After several prods from the Town, Charter provided a partial response on January 2, 2018. The TC met on January 8 to review Charter's new information. Some responses were favorable, such as agreement to extend the standard drop length to 250 feet. Other issues went unanswered, such as a description of their proposed coverage area, which under Charter's contract with the state was to be only 96% of dwellings in Egremont. The Town wanted to know the location of the 4% that they planned to leave out and what it would take to get those properties included to bring us as close as possible to the goal of 100% coverage.

Rather than wait for more answers through another lengthy round of communication with Charter, the TC decided that a more proactive strategy would be to work with our Special Telecommunications Counsel to revise Charter's original proposed license agreement to reflect the terms as we wanted them to be and submit this to Charter. In early March the Town sent Egremont's version of the cable TV license agreement to Charter. In a joint meeting on March 28, the Board of Selectmen and the TC, together with the Special Telecommunications Counsel, met with Charter to go over our preferred version of the license agreement. Charter stated that they would review our agreement in detail, consider our additional provisions that go beyond what they had originally proposed, and get back to us with a final response. On May 15 the Town received Charter's response, which our Special Telecommunications Counsel reviewed immediately. Charter had accepted many of the changes the Town requested. But Counsel recommended that the Town should either stand its ground or find a reasonable compromise on certain unresolved matters before entering into a long-term agreement. One request was to include certain straightforward underground installations in the definition of "standard installation". A second was to make better accommodation for public, educational, and government (PEG) use of the system. The Town requested a follow-up meeting with Charter to go over the few remaining concerns.

As of June 30, 2018 (end of the year covered by this report), Charter had not yet been able to schedule this meeting. Over the course of the year, the Town had to apply for—and was granted—several extensions of the DTC 90-day deadline. It is important to note that at no time throughout the process did the Town request anything that goes beyond provisions that already exist in other agreements between Charter and at least some cities and towns in the Commonwealth.

Aftermath. Subsequent to the end of the reporting year, the requested meeting took place on July 10, 2018, at which time the Town and Charter came to verbal agreement on all remaining issues. By law, Charter is required to submit their final written agreement to the Town, after which the Select Board will schedule a Public Hearing to receive citizen comment and then take

an up-or-down vote on the final agreement. At this writing, the Town is still waiting for the final agreement from Charter.

Fiber Connect. Through the year while the Town tried to conclude the agreement with Charter, the private company Fiber Connect (FC) continued to build out its broadband network infrastructure in portions of Egremont. Earlier in calendar year 2017, FC had applied for utility pole licenses from National Grid and Verizon and had contracted with them for “make-ready” work to prepare poles for attachment of fiber optic cable. On July 10, 2017, the Select Board approved FC’s application for a Grant of Location, which is the Town’s process to permit utility companies to install utility poles and build electrical and communications infrastructure along public ways. On February 12, the Board approved FC’s second application covering their Phase 2 construction. By the end of June 2018, FC had “passed” (made access available to) more than half the premises in Egremont and had signed up more than 200 subscribers.



(Lightening Strike on Baldwin Hill -  
Photo courtesy of Hans Carlson)